



Council Work Session - 6:15 p.m.

CITY COUNCIL AGENDA

Tuesday, March 20, 2012

7:00 p.m.

**Coon Rapids City Center
Council Chambers**

Open Mic/Public Comment

Call to Order

Pledge of Allegiance

Roll Call

Adopt Agenda

Approval of Minutes

March 6, 2012, Work Session

March 6, 2012, Council Meeting

Consent Agenda

1. Receive Submitted Gambling Reports for July 1-December 31, 2011
2. Authorize Final Payment, Project 10-12, Coon Rapids Ice Center, 3A Precast Wall Panels
3. Accept Easements from James M. Stanton Trust Over Portions of Property Located along 124th Avenue West of Northdale Boulevard
4. Accept Easement from Allina Health System Over Portions of Property Located Along Springbrook Drive NW

Public Hearing

5. Street Reconstruction, Various Collector Streets, Project 12-2:
 - a. Public Hearing and Assessment Hearing
 - b. Cons. Request for No Assessment for 3001-118th Lane NW
 - c. Cons. Resolution Ordering the Project
6. 2012 Street Reconstruction, Various Collector Streets, Project 12-3:
 - a. Public Hearing/Assessment Hearing
 - b. Cons. Resolution Ordering Project
7. 2012 Street Reconstruction Project, Various Collector Streets, Project 12-4:
 - a. Public Hearing/Assessment Hearing
 - b. Cons. Resolution Ordering Project

Bid Openings and Contract Awards

8. Cons. Resolution Awarding Contract for the 2012 Sanitary Sewer Lining Project

Old Business

9. Miscellaneous Special Assessments:
 - a. Cons. Resolution 12-46 Adopting 2012(1B) Miscellaneous Special Assessments (Contested Miscellaneous Assessments-One Year)
 - b. Cons. Resolution 12-47 Adopting 2012(1B) Miscellaneous Special Assessments (Contested Miscellaneous Assessments-Three Year)

New Business

10. Approve East River Road Corridor Study
11. Cons. Introduction of an Ordinance Restricting Parking on Both Sides of Quince Street and 105th Avenue between 104th Lane and Palm Street NW

Other Business

Adjourn



City Council Regular

1.

Meeting Date: 03/20/2012

Subject: Gambling Expenditure Reports

From: Kris Linnquist, Deputy Clerk

INTRODUCTION

City Code requires a semi-annual accounting of gambling expenditures which directly benefit Coon Rapids and cities within the trade area from the organizations licensed by the State Gambling Control Board.

DISCUSSION

Attached are the reports for July 1 through December 31, 2011 showing gambling expenditures within the city and trade area for the six organizations at 12 locations to be \$123,118.32. Reported revenue for this six month period was \$248,567.81.

Total 2011 expenditures were \$367,315.05 with revenues of \$384,101.19 as compared to the 2010 expenditures \$392,076.13 with revenues of \$344,303.02. All organizations (with the exception of two) achieved the annual 60% expenditure within the trade area. The reason the two organizations did not meet the 60% was they reported net losses in their revenues but still had expenditures exceeding the regulated percentages.

ALIGNMENT WITH STRATEGIC VISION

This item relates to the **Excellence in Government** section of the 2030 Strategic Vision in the following way:

Allowing the City to monitor the gambling operations within the City to comply with the Gambling section of the City Code.

RECOMMENDATION

Council is requested to receive the gambling expenditure reports for the second half of the 2011 as submitted by the licensed organizations.

Attachments

Gambling Reports



SEMI-ANNUAL GAMBLING EXPENDITURE REPORT JULY 2011 – DECEMBER 2011

LICENSED ORGANIZATION: American Legion Post 334

REPORT PREPARED BY: Dawn Jabhan

TELEPHONE: _____ E-MAIL: _____

JULY - DECEMBER 2011 TOTAL PROFIT (Line 37): \$43,380.00

LAWFUL PURPOSE (MSA §349.12, Subd 25)	DESCRIPTION OF EXPENDITURE (please itemize and be specific)	AMOUNT	
		Coon Rapids	Trade Area
A1 – 501c3 donation	Coon Rapids Crime Prevention	\$ 250	
	Special Olympics		\$ 100
	Legion Boys State	\$ 400	
	Veterans on the Lake		\$ 200
A2 – disability; poverty	Needy	\$ 445	
	Meal-on-Wheels		\$ 100
A-3 – problem gambling			
A-4 – schools			
A-5 – scholarships			
A-6 – military recognition	Troops' packages	\$ 130	
	Color/Honor guard events, supplies	\$ 840	
	Flags for donation	\$ 185	
A-7 – youth programs	Coon Rapids Legion Baseball Team	\$ 2,500	
	Children's parties	\$ 895	
A-8 – taxes on receipts / Refund unsold tickets			
A-9 – real estate taxes	Anoka County		\$12,210
A-10 – government (City donation)	Veterans volunteer transportation		\$ 100
	City of Coon Rapids	\$ 1,420	
A-11 – church			
A-12 – water quality			
A-13 – wildlife, trails, DNR			
A-14 – food shelf			
A-15 – community arts			
A-16 – veteran utilities	Post 334 utilities	\$21,995	
A-17 – veteran events			
A-18 – fee licenses, permits			
A-19 – humanitarian	Red Cross Bloodmobile		\$ 130
	Total expenditures in City/Trade Area	\$29,060	\$12,840
	Percentage of total expenditures in City/Trade Area	67%	30%

Return completed form to Deputy City Clerk, City of Coon Rapids, 11155 Robinson Drive, 55433 by **February 21, 2012**. Use this form and expand rows as necessary.



SEMI-ANNUAL GAMBLING EXPENDITURE REPORT JULY - DECEMBER

LICENSED ORGANIZATION: COON RAPIDS LIONS

REPORT PREPARED BY: JIM MYERS

TELEPHONE: _____ E-MAIL: _____

JULY - DECEMBER 2011 TOTAL PROFIT (Line 37): \$ 26427.89

LAWFUL PURPOSE (MSA §349.12, Subd 25)	DESCRIPTION OF EXPENDITURE (please itemize and be specific)	AMOUNT	
		Coon Rapids	Trade Area
A1 – 501c3 donation	Wellness van testing in CRHS for at risk students for cholesterol, high blood pressure & diabetes. TLC Toys for needy children	\$2700	\$500
A2 – disability; poverty	Utility bills for needy, eyeglasses for needy , emergency housing for needy	\$567	\$500
A-7 – youth programs	Boyscout and eagle scouts projects	\$375	\$
A-9 – real estate taxes			
A-10 – government (City donation)	City donation 5% tax and fire prevention program	\$899.76	\$
A-11 – church	Salvation army programs for needy	\$500	\$
A-12 – water quality		\$	\$
A-13 – wildlife, trails, DNR		\$	\$
A-14 – food shelf		\$	\$
A-15 – community arts		\$	\$
A-16 – veteran utilities		\$	\$
A-17 – veteran events		\$	\$
A-18 – fee licenses, permits		\$	\$
A-19 – humanitarian		\$	\$
	Total expenditures in City/Trade Area	\$5041.76	\$1000
	Percentage of total expenditures in City/Trade Area	19%	4%

Return completed form to Deputy City Clerk, City of Coon Rapids, 11155 Robinson Drive, 55433 by **February 21, 2012**. Use this form and expand rows as necessary.



SEMI-ANNUAL GAMBLING EXPENDITURE REPORT
JULY - DECEMBER

LICENSED ORGANIZATION: Coon Rapids Mat Bandits

REPORT PREPARED BY: Cornell Kahler Shidell & Mair, PLLP

TELEPHONE: _____

JULY - DECEMBER 2011 TOTAL PROFIT (Line 37): \$83,191.93

LAWFUL PURPOSE (MSA §349.12, Subd 25)	DESCRIPTION OF EXPENDITURE (please itemize and be specific)	AMOUNT	
		Coon Rapids	Trade Area
A1 - 501c3 donation	Donation to General Account	40,000.00	
A2 - disability; poverty			
A3 - problem gambling			
A4 - schools			
A5 - scholarships			
A6 - military recognition			
A7 - youth programs	Coach Payroll	10,960.00	
A8 - taxes on receipts/ Refund unsold tickets			
A9 - real estate taxes			
A10 - government (City donation)	City of Coon Rapids quarterly	4,416.16	
A11 - church			
A12 - water quality			
A13 - wildlife, trails, DNR			
A14 - food shelf			
A15 - community arts			
A16 - veteran utilities			
A17 - veteran events			
A18 - fee licenses, permits	State of Minnesota licensing fees	900.00	
A19 - humanitarian			
	Total expenditures in City/Trade Area	\$56,276.16	\$0.00
	Percent of total expenditures in City/Trade Area	68%	

Return completed form to Deputy City Clerk, City of Coon Rapids, 11155 Robinson Drive, 55433 by **February 15, 2012**. Use this form and expand rows as necessary.



SEMI-ANNUAL GAMBLING EXPENDITURE REPORT JULY - DECEMBER

LICENSED ORGANIZATION: Coon Rapids National Little League

REPORT PREPARED BY: Janet Beckman

TELEPHONE: _____ E-MAIL: _____

JULY - DECEMBER 2011 TOTAL PROFIT (Line 37): \$ 56,355.14

		AMOUNT	
LAWFUL PURPOSE (MSA §349.12, Subd 25)	DESCRIPTION OF EXPENDITURE (please itemize and be specific)	Coon Rapids	Trade Area
A1 – 501c3 donation		\$	\$
A2 – disability; poverty		\$	\$
A-3 – problem gambling		\$	\$
A-4 – schools		\$	\$
A-5 – scholarships		\$	\$
A-6 – military recognition		\$	\$
A-7 – youth programs		\$	\$
A-8 – taxes on receipts / Refund unsold tickets		\$	\$
A-9 – real estate taxes		\$	\$
A-10 – government (City donation)	<u>City of Coon Rapids</u>	\$ <u>2881.50</u>	\$
A-11 – church		\$	\$
A-12 – water quality		\$	\$
A-13 – wildlife, trails, DNR		\$	\$
A-14 – food shelf		\$	\$
A-15 – community arts		\$	\$
A-16 – veteran utilities		\$	\$
A-17 – veteran events		\$	\$
A-18 – fee licenses, permits		\$	\$
A-19 – humanitarian		\$	\$
	Total expenditures in City/Trade Area	\$ <u>2881.50</u>	\$
	Percentage of total expenditures in City/Trade Area	<u>5</u> %	%

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SEMI-ANNUAL GAMBLING EXPENDITURE REPORT JULY - DECEMBER 2011

LICENSED ORGANIZATION: COON RAPIDS VFW 9625

REPORT PREPARED BY: ROBERT FAUCETT

TELEPHONE: _____ E-MAIL: _____

JULY - DECEMBER 2011 TOTAL PROFIT (Line 37): \$ 26,357

		AMOUNT	
LAWFUL PURPOSE (MSA §349.12, Subd 25)	DESCRIPTION OF EXPENDITURE (please itemize and be specific)	Coon Rapids	Trade Area
A1 - 501c3 donation	MN Veterans Home, trade area residents	\$	\$ 235.00
A2 - disability; poverty	Benefit for Coon Rapids Resident Gas for needy	\$ 500.00 58.00	\$
A-3 - problem gambling		\$	\$
A-4 - schools		\$	\$
A-5 - scholarships	Voice of Democracy	\$ 150.00	\$
A-6 - military recognition		\$	\$
A-7 - youth programs	Patriots Pen Essay Contest	\$ 140.00	\$
A-8 - taxes on receipts / Refund unsold tickets		\$	\$
A-9 - real estate taxes	Anoka County	\$	\$ 3,000.00
A-10 - government		\$ 911.35	\$
A-11 - church		\$	\$
A-12 - water quality		\$	\$
A-13 - wildlife, trails, DNR		\$	\$
A-14 - food shelf		\$	\$
A-15 - community arts		\$	\$
A-16 - veteran utilities	City of Coon Rapids Utilities	\$ 717.00	\$ 4,197.00
A-17 - veteran events		\$	\$
A-18 - fee licenses, permits		\$	\$
A-19 - humanitarian		\$	\$
	Total expenditures in City/Trade Area	\$ 2476.35	\$ 7,432.00
	Percentage of total expenditures in City/Trade Area	9%	28 %



SEMI-ANNUAL GAMBLING EXPENDITURE REPORT
JULY - DECEMBER

LICENSED ORGANIZATION: Coon Rapids Youth Hockey

REPORT PREPARED BY: Cornell Kahler Shidell & Mair, PLLP

TELEPHONE: _____

JULY - DECEMBER 2011 TOTAL PROFIT (Line 37): \$12,875.85

LAWFUL PURPOSE (MSA §349.12, Subd 25)	DESCRIPTION OF EXPENDITURE (please itemize and be specific)	AMOUNT	
		Coon Rapids	Trade Area
A1 - 501c3 donation	Donation to General Fund	220.00	
A2 - disability; poverty	Donations to Benefits	3,266.55	
A3 - problem gambling			
A4 - schools			
A5 - scholarships			
A6 - military recognition			
A7 - youth programs	Hockey Program Donations	600.00	
A8 - taxes on receipts/ Refund unsold tickets			
A9 - real estate taxes			
A10 - government (City donation)		1274.00	
A11 - church			
A12 - water quality			
A13 - wildlife, trails, DNR			
A14 - food shelf			
A15 - community arts			
A16 - veteran utilities			
A17 - veteran events			
A18 - fee licenses, permits	Annual State Licensing Fees	750.00	
A19 - humanitarian			
	Total expenditures in City/Trade Area	6110.55	\$0.00
	Percent of total expenditures in City/Trade Area	47%	

Return completed form to Deputy City Clerk, City of Coon Rapids, 11155
Robinson Drive, 55433 by **February 15, 2012**. Use this form and expand rows as
necessary.



City Council Regular

Meeting Date: 03/20/2012

SUBJECT: Approval of Minutes

Attachments

3-6-12 Work Session

3-6-12 Council Meeting

UNAPPROVED

COON RAPIDS CITY COUNCIL WORK SESSION OF MARCH 6, 2012

A work session of the Coon Rapids City Council was called to order by Mayor Tim Howe on Tuesday, March 6, 2012, at 6:15 p.m. in Conference Room #1 at Coon Rapids City Hall.

Members Present: Mayor Tim Howe, Councilmembers Denise Klint, Melissa Larson, Paul Johnson, Jerry Koch, Bruce Sanders, Scott Schulte

Members Absent: None

Staff Present: City Manager Matt Fulton, Assistant City Manager Matt Stemwedel, Community Development Director Marc Nevinski, Community Development Specialist Matt Brown, Public Services Director Steve Gatlin

CALL TO ORDER

Mayor Howe called the work session to order at 6:15 p.m.

1. GRANT REQUEST FOR SOUTHERLY ACCESS TO RIVERDALE STATION

Community Development Director Marc Nevinski stated the Council will be considering a resolution supporting two grant requests staff has made to the Metropolitan Council. One of the grants, if received, will fund a land use study around the Foley station area. The other grant is proposed to fund property acquisition and construction of a trail from 121st Avenue to the station platform.

Council had indicated an interest in a southern access point in the past, and staff has been working with BNSF and Met Transit to determine the feasibility of such an access point. However, staff has not yet approached any property owners, or engaged the neighborhood in any discussions about an access point. The opportunity to receive grant funding to help pay for this access point only arose earlier this year and creating some urgency to move the project forward.

Community Development Director Nevinski distributed a site plan showing one possible alignment for the trail. The Council asked what would happen if the City receives the grant, but the Council later decided not to proceed with the project. Staff stated the City would simply have to return the funds to the Met Council. The Council generally favored applying for the grant.

OTHER BUSINESS

There was no other business.

ADJOURN

Mayor Howe adjourned the work session at 6:40 p.m.

Respectfully submitted,
Cathy Sorensen, City Clerk

UNAPPROVED

COON RAPIDS CITY COUNCIL MEETING MINUTES OF MARCH 6, 2012

OPEN MIC/PUBLIC COMMENT

Jerry Pierce, 12236 Partridge Street NW, regarding continuing concerns about the automated doors at Bunker Hills Clubhouse and tribute for Father Reiser.

CALL TO ORDER

The first regular meeting of the Coon Rapids City Council for the month of March was called to order by Mayor Tim Howe at 7:00 p.m. on Tuesday, March 6, 2012, in the Council Chambers.

PLEDGE OF ALLEGIANCE TO THE FLAG

Mayor Howe led the Council in the Pledge of Allegiance.

ROLL CALL

Members Present: Mayor Tim Howe, Councilmembers Denise Klint, Melissa Larson, Paul Johnson, Jerry Koch, Bruce Sanders and Scott Schulte

Members Absent: None

ADOPT AGENDA

MOTION BY COUNCILMEMBER SANDERS, SECONDED BY COUNCILMEMBER LARSON, TO ADOPT THE AGENDA AS PRESENTED. THE MOTION PASSED UNANIMOUSLY.

APPROVAL OF MINUTES OF PREVIOUS MEETINGS

FEBRUARY 21, 2012, COUNCIL MEETING

Councilmember Schulte requested a change on Page 5, under Old Business, suggesting the first sentence of Police Chief Wise's report be restated. Secondly, he requested clarification to the motion on Page 9 regarding the ordinance.

MOTION BY COUNCILMEMBER SCHULTE, SECONDED BY COUNCILMEMBER JOHNSON, FOR APPROVAL OF THE MINUTES OF THE FEBRUARY 21, 2012, COUNCIL MEETING AS AMENDED. THE MOTION PASSED UNANIMOUSLY.

CONSENT AGENDA/INFORMATIONAL BUSINESS

1. APPROVE AGREEMENT WITH PROPERTY OWNER AT 3044-109TH LANE, REGARDING SEWER SERVICE REPAIR
 2. 2011-2012 INSURANCE RENEWALS
-

Councilmember Koch questioned if the property owner at 3044 109th Lane was responsible for the main line or the line leading to the home. Staff indicated the property owner was only responsible for the line leading to the home.

MOTION BY COUNCILMEMBER SCHULTE, SECONDED BY COUNCILMEMBER SANDERS, FOR APPROVAL OF THE CONSENT AGENDA AS PRESENTED. THE MOTION PASSED UNANIMOUSLY.

REPORTS ON PREVIOUS OPEN MIC

3. OPEN MIC REPORT – JERRY PIERCE, 12236 PARTRIDGE STREET NW
-

Mayor Howe presented a memorandum stating Jerry Pierce, 12236 Partridge Street, had appeared at Open Mic on February 21 with continuing concerns about the Mayor and City Manager and staff's interpretation of whether automatic doors were required at Bunker Hills Clubhouse.

This topic was brought up by Mr. Lewis Peterson at the October 18, 2011, Council meeting. Staff's response to Mr. Peterson's concerns was shared during the November 1 Council meeting. Mr. Pierce was present when the report was shared and staff had provided a copy of the report to Mr. Pierce as well. The Mayor clarified that the 2007 Minnesota State Building Code did not require ADA power operators to be installed on any of the doors at the Clubhouse but that the City chose to have them retrofitted when Mr. Peterson shared his concerns.

OLD BUSINESS

None.

NEW BUSINESS

4. CONSIDER APPEAL DECISION OF BOARD OF ADJUSTMENT AND APPEALS, SCOTT NELLIS, 10320 GROUSE STREET, CASE 12-01V
-

Assistant City Attorney Brodie presented a memorandum to Council stating property owner, Scott Nellis, is appealing a decision of the Board of Adjustment and Appeals upholding a Compliance

Order of the Chief Building Official that directed the residential structure at 10320 Grouse Street be posted Unfit for Human Habitation on January 17, 2012, unless certain corrective actions were taken. Mr. Nellis appealed the Compliance Order to the Board of Adjustment and Appeals, which upheld the Compliance Order of the Chief Building Official on February 2, 2012. Mr. Nellis is appealing the Board's decision. A copy of the property owner's appeal was shared.

The subject property is a split entry house with a two-car attached garage located in an area zoned Low Density Residential LDR-2. The structure, built in 1976, contains approximately 2,100 square feet of floor area (including unfinished lower level area) and an attached garage of 572 square feet.

On October 19, 2011, Leya Drabczak, Coon Rapids Housing Inspector, inspected the backyard of the subject property in response to a report that a large pile of wood shavings used for animal bedding was being disposed of in the back yard and that a foul smell was coming from the pile. During the inspection, Ms. Drabczak observed this condition in the back yard of the subject property. An internet search by Ms. Drabczak found a website operated by Mr. Nellis listing his snake breeding business. This complaint and inspection led to a request for an administrative search warrant to inspect the interior of the subject property.

On October 26, 2011, pursuant to the administrative search warrant, the subject property was inspected by: Leya Drabczak, Housing Inspector; Coon Rapids Police Department members Mike Plankers; Brad Johnson, Greg Koss and Desiree Toninato; Coon Rapids Fire Department members Nick House and Shannon Moen; and State Humane Society Officer Keith Streff.

Upon approaching and entering the dwelling, and throughout the search, inspectors detected a very strong smell of ammonia. Inspectors experienced burning of their eyes and throats due to the high level of ammonia and it became necessary for inspectors to wear masks for the remainder of the inspection.

Inspectors located a room on the ground (entryway) main level near the front door that housed approximately 80 snakes of various sizes and species. Cages had glass fronts with sliding doors and were stacked on top of one another from floor to ceiling. Cages were located around the perimeter of the room and an island of cages stacked from floor to ceiling was made in the center of the room. The walkways between the columns of cages were less than three feet in width. This arrangement of cages blocked full access to the window in this room therefore obstructing egress. The animals were very active and would strike at the glass as inspectors walked by. The room was dark and the light and ceiling fan could not be turned on because the cages were touching the fixture. Inspectors needed to use flashlights to see what snakes were in the cages. The animals would strike at the glass when lights were shined into their cages. The floor in this room and most floors throughout the dwelling were carpeted.

The lower level of the dwelling housed three separate areas of snakes and rats. One room, a bedroom of approximately 145 square feet, contained approximately 120 snakes in it of various species and sizes. There were various animals located in this room including hissing cockroaches, meal worms and various lizards. The cages were located around the perimeter of the room and stacked vertically

from floor to ceiling. The second bedroom on the lower level, containing approximately 102 square feet, housed snakes in cages stacked from floor to ceiling along all perimeter wall space.

The larger, unfinished area of the lower level, containing approximately 483 square feet, housed various large snakes and mice and rats in cages. The cages were stacked on top of one another from floor to ceiling. The mice and rats were housed on one side of the room and the snakes and reptiles along the other.

In the upper level living room, inspectors found three large aquariums containing lizards. The urine/feces smell in the upper level of the dwelling was as strong as in the lower and ground levels of the dwelling. Humane Society Officer Streff's report includes the following statement, "The interior of the home was fairly well kept but had a nearly overwhelming odor consistent with a musk common to the rodent and reptile family."

Inspectors estimated that there were approximately 300 snakes and 400 feeder rats and mice combined in the property. Photographs were taken on site, some of which are included in this report. The property owner did not have a current inventory list. He stated that there are too many animals to keep track of because he buys, sells, and breeds continually. The City does not have the resources necessary to catalog each animal found on site. In the photographs, each of the plastic bins stacked on top of one another houses snakes. Not all of the snakes are visible in the plastic containers in the photographs.

On February 15, 2012, Housing Inspector Leya Drabczak requested Mr. Nellis provide an inventory of the animals maintained in the dwelling to assist in this appeal. On February 22, 2012, Mr. Nellis provided an inventory listing 363 snakes, 61 lizards and approximately 321 rodents.

Coon Rapids Fire Department personnel conducted an inspection of the air quality in the subject dwelling. The dwelling contained a strong smell of urine and feces and a member of the North Metro Chemical Assessment Team was called to bring NH₃/Ammonia detectors to the scene. The doors of the dwelling had been left open in order to air out the air in the dwelling. Fire Department staff entered the dwelling with half face respirators. The North Metro Chemical Assessment Team found the level of NH₃/Ammonia to be 10 parts per million (ppm) on the upper level and 20 ppm in the lower level of the home. These reported levels of ammonia gas were elevated and higher than what is normally found in the habitable space of a typical dwelling. Prolonged exposure to high levels of ammonia may contribute to health issues of the occupants of the subject premises. According to Coon Rapids Fire Captain Tim Gilsrud, a typical residential dwelling, when tested for ammonia levels, registers a reading of zero or less than one ppm.

Also, on February 7, 2012, I accompanied Housing Inspector Leya Drabczak on a site visit of the subject property; we found squirrels leaving the attic space through a large hole in fascia. Although we were standing upwind from the structure, we could detect strong odors of ammonia and of the rodents. We also noted four 90-gallon trash containers located in front of the garage door. It is my determination that a residence like the subject dwelling is not designed to be used in the manner the property owner is currently using it as none of the rooms that housed the snakes and

other animals had either adequate sanitation or ventilation. For example, the floors were not made of a smooth, hard, nonabsorbent surface that extends upward onto the walls at least six inches. The walls adjacent to the cages also did not consist of a smooth, hard, nonabsorbent surface to the top of the cages.

It is also my determination that the mechanical (ventilation, furnace and air conditioning) systems in a typical residential dwelling are not designed to support the many rows of cages of animals that the subject dwelling contains. Houses in general are designed as a place where one lives - a residence. A dwelling is defined by the International Building Code as a single unit providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation. A single-family dwelling is not designed with heating and ventilation systems meeting the needs associated with the keeping of snakes or the other animals as found in the subject dwelling. Windows may be used in houses to provide ventilation and houses use recirculation of air to conserve energy. Facilities designed for the keeping of animals are provided with 100 percent supply and exhaust in the ventilation systems with no recirculation of air to control the spread of disease. In this dwelling, inspectors noted the heating system had been modified by blocking system registers with rags in the ductwork. Officer Streff's report states that the "existing ventilation is inadequate and cannot sufficiently accommodate the number of animals currently confined to the residence."

Additionally, I find that there were an insufficient number of electrical receptacles (outlets) to serve the dwelling as evidenced by the extensive use of extension cords found in the dwelling. Extension cords shall not be used as a substitute for permanent wiring; extension cords and flexible cords shall not be affixed to structures; extended through walls, ceilings, floors; extended under doors or floor coverings; nor be subject to environmental damage or physical impact. A significant amount of receptacles are necessary to accommodate the heating elements in each cage. During the inspection of the dwelling, Mr. Nellis stated to Ms. Drabczak that "snakes, lizards and insects do not fare well in overly ventilated, drafty areas."

Under separate action, the property owner received Administrative Citation # 45839-19955 for the debris in the back yard, including animal feces and bedding. The property owner complied. Also under separate action, Administrative Citation # 45839-19945 has been issued for the removal of all snakes prohibited by City Code Chapter 6-500, Non-domestic Animals. Mr. Nellis has filed an appeal in that matter and it is being considered under a separate, administrative appeal action.

The conditions of the subject structure that led to the determination of the building being classified as Unfit for Human Habitation (City Code Section 12-313), and an Unsafe Building or Structure (Part 1300.0180 of the Minnesota State Building Code) and the issuance of the Compliance Order (City Code Section 12-315) include:

- Dwelling is not provided with the mechanical and ventilation systems needed to keep and care for the numerous snakes, lizards, rodents and insects present in the structure.
- The air contaminants are well above any acceptable limits.
- The wall and floors are not of smooth, hard, nonabsorbent surfaces needed to provide sanitary conditions.

- The overall excessive storage present in the structure creates a hazard for fire fighters and emergency responders during emergency operations.
- The windows that the fire department would use during emergency operations are blocked, limiting access into the dwelling.
- The use of extension cords is a noncompliant condition and whether energized or not, creates dangerous condition to human life and property. As used they pose both a shock and fire hazard when used as a substitute for the fixed wiring of a structure.
- Section 301.14 of the 2006 International Fuel Gas Code requires all buildings or structures and the walls enclosing habitable or occupiable rooms and spaces in which persons live, sleep or work, or in which feed, food or foodstuffs are stored, prepared, processed, served or sold, shall be constructed to protect against rodents in accordance with the Building Code.

Based on these conditions, staff issued a Compliance Order, dated November 30, 2011, ordering Mr. Nellis to correct certain conditions within 45 days. Failure to make the corrections would result in the posting of the structure as unfit for human habitation on January 17, 2012. The property owner was required to make the following corrections:

- Completely remove all the snakes, lizards, rodents and insects from the property.
- Remove all items related to the keeping of the snakes, lizards, rodents and insects, and waste and debris.
- Provide a satisfactory air quality report.

On December 5, 2011, Mr. Nellis appealed the Compliance Order. As a result, and because children or vulnerable adults reside in the dwelling, staff did not post the dwelling as uninhabitable. Additionally, staff concluded it was in the best interest of the animals to have a caretaker on site. Coon Rapids Fire Department placed this address on the Anoka County Dispatch list to use special care upon entering this home in the event of a fire or medical emergency.

The Board of Adjustment and Appeals considered Mr. Nellis' appeal on February 2, 2012. The Board upheld staff's decision. Copies of the staff report to the Board and the Board meeting minutes were shared. The staff report contains Mr. Nellis' original appeal of the Compliance Order. The minutes include written remarks Mr. Nellis presented to the Board.

Mr. Nellis appealed the decision of the Board of Adjustment and Appeals in this matter on February 6, 2012. An amendment or rejection of the Board's decision requires an affirmative vote of at least five members of the City Council.

Mayor Howe questioned how ammonia was being created within the home. Assistant City Attorney Brodie indicated ammonia was a by-product of the waste being generated by the snakes.

Councilmember Koch asked how the site could be brought into compliance. He said he could not find within the City Code a limit of snakes and rats within a residential home. Assistant City Attorney Brodie indicated the air quality and fire issues would have to be addressed. Staff believed the non-domestic pet ordinance would eliminate the boa constrictors and larger snakes within the home.

Mayor Howe inquired why such a large number of snakes and rats were located within the premises. Assistant City Attorney Brodie indicated he believed the homeowner enjoyed the snakes but also had business running out of his home, adding the rats were used to feed the snakes.

Councilmember Sanders questioned if the decision were to be overturned if the home would be found habitable for children. Assistant City Attorney Brodie stated there were health and safety concerns based on the air quality. He reiterated that the snakes were all caged and did not pose a threat to staff at any time during the inspections of the site.

Councilmember Schulte clarified that five affirmative votes from Council would be needed to overrule the Board of Adjustment and Appeals decision.

Scott Nellis, 10320 Grouse Street, presented the Council with a prepared statement. He noted his home thermostat was set at 70 degrees during the day and 68 degrees at night. He stated the cages in the basement had supplemental heat for the snakes. Mr. Nellis further addressed the heating concerns stating he did not feel his home was a fire risk.

Mr. Nellis discussed the four waste containers in the front of his house. He noted one was used for yard waste, one for recycling and the other two were used for waste. He explained he reviewed City Code prior to starting his business in 2007 and up until July of 2010 the species of snakes were not a concern. Mr. Nellis noted he had a separate appeal in with the City for this issue.

Mr. Nellis indicated he does not have any children living in the home and that he does not have any lizards. He reported that at this time he was only using two extension cords for additional power. He stated he was doing business from his home and sales took place at reptile expos. However, this was mostly being completed as a hobby.

Mr. Nellis explained his home has been found “not typical”. He stated the main level of his home resembled a typical home but the basement was used for his hobby. He reported the ammonia smell found in his home by staff was higher than normally found due to his hectic work schedule. He apologized for letting this go and reported the rat cages were being kept clean.

Mr. Nellis thanked Councilmember Koch for visiting his home last week and for discussing his concerns. An issue raised was the air quality within the home. He stated an air purifier could be purchased for the basement but would cost roughly \$1,300. He did not feel the home’s ammonia levels were consistent with the levels reported by staff. He concluded that he has been doing this for the last 15 years and had invested a lot of money in his business and did not want the snakes removed. He indicated his emotional well-being was being hindered due to the issues he was dealing with between himself and the City.

Mayor Howe questioned if any of the snakes were poisonous. Mr. Nellis reported he does not have any venomous snakes on site. He indicated PetCo sold python snakes and this matter should be addressed along with the sale of boa constrictors. He restated he did not house or sell venomous snakes.

Mayor Howe read the findings with regard to this case and asked how the Council would like to proceed.

Councilmember Koch said he understood there were a great number of snakes in this home. After visiting Mr. Nellis' home he found the site to be less offensive than other homes he has been in through his profession as a realtor. Councilmember Koch said he felt that the home was structurally compliant and that he found the snake cages to be well cared for. He felt there were other homes that had strong pet smells. He said he did not know what the right number of snakes should be but said he did not feel it was reasonable to require Mr. Nellis to remove all of the reptiles.

Councilmember Larson agreed with Councilmember Koch. She indicated she has had a pet snake in the past and currently has a pet rat. She recommended Mr. Nellis reduce the number of rats on site as this would reduce the ammonia odor. She stated there was a lot of reptiles in the home and recommended the home occupation issue be resolved.

Councilmember Klint agreed the reptiles were well cared for. However, the Council did not have expertise in this area and was relying on City staff for direction. She expressed concern on the number of animals and types of reptiles being housed within the home. Even if the home were to come into compliance, the homeowner was operating a business out of the home without a license.

Councilmember Koch reviewed the plans from Mr. Nellis and the location of the snakes in the basement. He said he did not object to the placement of the cages and felt there were no structural concerns within the home. He stated he spoke with both neighboring property owners and they do not object to the home business.

Councilmember Larson questioned if the number of rodents on site could be reduced given the number of snakes onsite. Mr. Nellis stated this was a concern. He reported he did have to increase the number of rats last summer and now had slightly more than needed. However, if his snake hatchlings survived, they would require live feed.

Councilmember Koch asked if it was possible for Mr. Nellis to sell down some of his inventory. Mr. Nellis stated he has been trying to accomplish this but that it is a difficult market at this time.

Councilmember Koch questioned if Mr. Nellis would be willing to take a loss on some of the sales in order to maintain his hobby out of his home. Mr. Nellis stated he would be willing to sell off 50-60 juvenile snakes.

Councilmember Sanders questioned if the home occupation violation should be further discussed. Mayor Howe stated the home occupation violation was a separate issue from the findings being considered this evening.

Mayor Howe indicated the overabundance of snakes in this home was his main concern. He read several findings for the record noting rodents were being prepared for food in this home. He understood that pets could be housed in a home within reason. However, the upkeep and feeding of

these reptiles was a concern. He stated he would not be satisfied with the sale of 50-60 snakes. He felt the number should be reduced to 10-12 total.

Councilmember Schulte indicated he had a lot of questions with the business being conducted out of the home and how the neighborhood was being affected by this property. He was pleased that Councilmember Koch visited the site. He indicated the Council was being asked to consider the findings before them this evening. He felt the air quality, fire safety and electrical issues were the main concerns as well as the egress and ingress for the Fire Department. He felt the extension cords could be removed, the air quality could be improved, and the aisle ways could be brought into compliance without shutting down the business entirely.

Assistant City Attorney Brodie stated the order as written requires Mr. Nellis to remove all of the snakes. He said he did not feel that 36 inch aisles alone would bring the site into compliance. He cautioned the Council from proceeding in this manner. He requested the Council uphold the appeal and allow the City to work with Mr. Nellis to bring the home into compliance.

Councilmember Sanders said he was in favor of bringing the site into compliance. He said he did not see enough information to overturn the expert information provided by staff this evening.

MOTION BY COUNCILMEMBER SANDERS, SECONDED BY COUNCILMEMBER KLINT, TO ADOPT THE FINDINGS AND UPHOLD THE BUILDING UNFIT FOR HUMAN HABITATION AND UNSAFE BUILDINGS OR STRUCTURES COMPLIANCE ORDER OF THE CHIEF BUILDING OFFICIAL DATED NOVEMBER 30, 2011.

Councilmember Johnson stated Mr. Nellis was extremely knowledgeable and cooperative. He thanked him for his handout this evening. He agreed the site needed to be brought into compliance and would support the recommendation provided by staff.

Councilmember Koch questioned what motion was being made at this time. He said he did not feel the motion was providing an opportunity for Mr. Nellis to bring the site into compliance without having to remove all of the reptiles.

Councilmember Schulte indicated the criteria from staff addressed the fire aisles, air quality and electrical issues. He stated another appeal will be brought to the City to address the number of snakes allowed within the home, while also having to address the home business.

Councilmember Sanders questioned if there was another way to make the motion without every animal being removed from the home. Assistant City Attorney Brodie indicated the Council could modify the appeal stating the home had to be made habitable, adding another option would be to table the item while directing staff to work further on a resolution with Mr. Nellis.

Mayor Howe inquired about the status of the other appeal items. Assistant City Attorney Brodie stated the other appeals were on hold at this time to allow the Council to consider the first appeal.

He said after this item had been addressed staff would proceed with the illegal snake issues. He added the home occupation issue has yet to be addressed by staff.

Councilmember Koch stated Mr. Nellis was very knowledgeable and has been extremely cooperative with the City. He felt Mr. Nellis would be reasonable to work with in order to bring the home into compliance.

Councilmember Schulte indicated the current motion was to uphold the findings and would require all of the reptiles to be removed from the home within 45 days. He said he no longer supported the motion.

Councilmember Sanders agreed and requested suggestions from the Council on how to proceed or amend the motion.

Mayor Howe stated the motion could be withdrawn.

Councilmember Klint suggested the motion be reworded to bring the home into compliance in the next 45 days versus removal of all reptiles in the next 45 days.

Councilmember Koch said he was unclear of what “compliance” would be and was in favor of Mr. Nellis being allowed additional time to address the issues with staff.

Mayor Howe read the compliance language provided by staff.

Councilmember Schulte suggested the motion be amended to remove enough snakes, lizards, rodents and insets from the property and related items for the keeping of snakes, lizards and rodents waste and debris from the property to provide a satisfactory air quality report; to provide proper access for the fire department with 36” in all aisle ways; and to eliminate all extension cords used as fixed wiring within 45 days.

Councilmember Sanders said the home has to be in compliance with regard to electrical codes.

Councilmember Larson indicated she would support the amended language.

Councilmember Johnson indicated there were several options at this time, one being to table the item while directing staff to work with Mr. Nellis. He said he felt the Council was becoming too detailed.

MOTION BY COUNCILMEMBER KOCH, SECONDED BY COUNCILMEMBER LARSON, TO TABLE ACTION ON THIS ITEM DIRECTING STAFF TO WORK FURTHER WITH MR. NELLIS.

THE MOTION PASSED 4-3, COUNCILMEMBERS KLINT, SANDERS AND MAYOR HOWE OPPOSED.

Mayor Howe stated that because the item was tabled this would allow staff time to review all of the issues concerning the property. He suggested that staff review the occupancy and non-domestic animal code as well.

Councilmember Sanders felt this was a public safety issue and that a residential home should not be used for this type of activity. He recommended that Council and staff create a workable solution to assure this situation is addressed.

5. CONSIDER RESOLUTION AUTHORIZING THE BUDGET, APPROVING PLANS AND SPECIFICATIONS AND ORDERING ADVERTISEMENT FOR BIDS FOR THE VEHICLE STORAGE BUILDING, PROJECT 11-28

Public Services Director Gatlin presented a memorandum to Council stating on December 6, 2011, Council approved the preliminary design for the proposed vehicle storage building and authorized the architect to proceed to complete the final design plans and construction specifications for the project. The project architect, Kodet Architects, has completed final plans and specifications for the building project. Consideration for approval of the plans and specifications, budget and authorization to place the advertisement for bids is requested at this time.

On December 6, 2011, Council discussed design alternatives for the new vehicle storage building. At that time, Council elected an alternative for the building design based on required space needs to meet current requirements. This design provides for a building of approximately 20,334 SF and parking for 54 vehicles. In addition, storage space is provided for police and fire needs. A small wash bay and mechanical room with an air compressor was included in the project design.

This vehicle storage facility will provide covered storage for police, fire, engineering, assessing and inspection vehicles currently parked outdoors. The facility will increase operational efficiency and protect the vehicles from the weather. Included for Council review is a proposed site plan showing the building layout, renderings showing the proposed building exterior appearance and an interior floor plan showing the proposed layout. The building is proposed to be located along the existing southeast corner of the current parking lot. One row of parking spaces will be eliminated and the building will be located on this portion of the site as shown.

MOTION BY COUNCILMEMBER JOHNSON, SECONDED BY COUNCILMEMBER SCHULTE, TO ADOPT RESOLUTION NO. 11-28(8) AUTHORIZING THE BUDGET, APPROVING PLANS AND SPECIFICATIONS AND ORDERING ADVERTISEMENT FOR BIDS FOR THE VEHICLE STORAGE BUILDING. THE MOTION PASSED UNANIMOUSLY.

6. CONSIDER RESOLUTION APPROVING PLANS AND ORDER ADVERTISEMENT FOR BIDS, BITUMINOUS STREET PATCHING REPAIRS, PROJECT 12-13

City Engineer Vierzba presented a memorandum to Council stating each year the City contracts for

repair of streets throughout the City, primarily in the seal coat areas and watermain break areas. The City Engineering Division has prepared plans and specs for bituminous street patching including a mill/overlay on Coon Rapids Boulevard Extension. Council is requested to approve plans and order ad for bids at this time.

There are various types of repair work needed throughout the City each year consisting of concrete repair, bituminous street surfacing repair, and turf repair. In recent years, the City has advertised for bids for several repair contracts. This year, the City is proposing to get quotes for the smaller contracts for concrete and turf repair work and only bid out the large bituminous patching project. Large patching repairs include patching needed, primarily due to watermain breaks. This year's contract is proposed to include milling and overlay of the street surface on Coon Rapids Boulevard Extension, located off Coon Rapids Boulevard and near 99th Avenue. This street was built as a rural section over poor soils (without concrete curb in most portions of the road) and has a concrete surface under the bituminous surfacing. It is not practical to rebuild the street with concrete curb and gutter. Therefore, this road has been overlaid with bituminous surfacing in the past and is due for another mill/overlay.

A contract award is being scheduled for April 17th with work expected to begin by early-May depending on the contractor's schedule.

MOTION BY COUNCILMEMBER LARSON, SECONDED BY COUNCILMEMBER KLINT, TO ADOPT RESOLUTION NO. 12-13(8) APPROVING PLANS AND ORDERING ADVERTISEMENT FOR BIDS. THE MOTION PASSED UNANIMOUSLY.

7. CONSIDER RESOLUTION 12-44 AUTHORIZING STAFF TO SUBMIT APPLICATIONS FOR METROPOLITAN COUNCIL LIVABLE COMMUNITIES TRANSIT ORIENTED DEVELOPMENT GRANT FUNDS FOR PLANNING AND INFRASTRUCTURE PROJECT AT THE RIVERDALE AND FOLEY BOULEVARD TRANSIT STATIONS

Community Development Specialist Brown presented a memorandum requesting the Council consider a resolution approving the submission of Transit-Oriented Development (TOD) grant applications to the Metropolitan Council for planning and infrastructure projects at the Riverdale and Foley Boulevard transit stations.

The Metropolitan Council's Livable Communities Act (LCA) Transit Oriented Development (TOD) program is a new funding resource intended to help catalyze Transit Oriented Development in and around light rail transit, commuter rail, and high-frequency bus transit stations. The Met Council is currently considering its first round of funding applications for the program. The categories of funding include Pre-Development Grants and Development Grants. Pre-Development Grants are intended for applicants who are defining their project through such activities as design workshops, preparing redevelopment, corridor or station area plans, developing zoning and land use implementation tools such as overlay zones or zoning districts, or determining strategies for land banking and land acquisition. Development Grants are intended for applicants that are ready to

acquire sites and/or conduct site preparation activities or begin development or redevelopment and are ready to build the infrastructure necessary to support it. City Staff intends to submit two applications: one for a \$230,000 Development Grant to acquire property and construct a trail on the south side of the railroad tracks at Riverdale Station and one for a \$40,000 Pre-Development Grant to develop a land use plan for an area near the Foley Boulevard Park and Ride. Met Council staff has reviewed the City's preliminary applications and has determined that they are eligible for further consideration. Project details are as follows:

Riverdale Station South Trail Access

This proposed project involves providing pedestrian/bicycle access to Riverdale Station from the south, which will significantly expand access to the station. The proposed project includes construction of a 10-foot wide trail, acquisition of one single-family property to provide access to 121st Avenue near Wedgewood Drive, construction of a 6-foot high chain-link fence, removal of a portion of a concrete wall at the station platform, and construction of a culvert under a portion of the trail. It is currently not possible for pedestrians and bicyclists to access the Station from the south side of the railroad tracks, despite the presence of a pedestrian overpass. This limits access to neighborhoods on the north side of the tracks. The proposed project will significantly expand the service area of Riverdale Station by connecting it to residential areas and employment centers to the south. It will also encourage commuters to access the station on foot or by bicycle. Estimated project costs include: acquiring a single-family property (the exact house to be acquired has not yet been determined) (\$200,000), demolishing the structure (\$15,000), removing the existing concrete wall (\$700), removing the existing fence (\$1,000), constructing a new 6-foot fence (\$3,300), grading for trail/culvert (\$700), gravel base (\$1,875), bituminous trail surface (\$4,800), topsoil (\$1,400). Grant funds would cover all costs associated with the project, except for relocation, which is estimated to cost about \$20,000. HRA funds could cover this cost.

Foley Boulevard Station Area Planning

This project involves pre-development planning activities for the Foley Boulevard TOD Area, including land use planning, market analysis, pedestrian/bicycle infrastructure planning, future street planning, and creating a land acquisition and development staging plan. At present, the Foley Boulevard Station Area is generally an automobile-oriented environment with poor pedestrian connections, obsolete land uses, and low-density development. The City's Comprehensive Plan identifies the area as a potential TOD site and major employment district within the City. Both the City and Anoka County have begun land banking in the area. Upon completion of the TOD Project, it is envisioned that the TOD Area will be redeveloped as a transit-supportive employment district with multi-modal connections to the neighboring Evergreen Industrial Area and Northtown Mall employment centers. The TOD Project will also establish non-motorized connections to residential areas surrounding the TOD Area, including major redevelopment sites for high-density residential development. Project costs include: conducting design workshops for development alternatives (\$5,000), preparing station area/redevelopment plan (\$10,000), developing zoning implementation tools (\$5,000), analyzing alternatives for market/economic feasibility (\$10,000), creating a development staging plan (\$5,000), determining a strategy for land banking/acquisition (\$5,000). The

grant requires a City match of 20%, or \$10,000, which could be covered by HRA funds.

If the City is awarded funds for one or both of these projects, pre-development activities must be completed within two years and development activities must be completed within three years. In order for the Met Council to fully consider the applications, the Council must adopt Resolution 12-44, which authorizes submission of applications for the two projects.

MOTION BY COUNCILMEMBER KOCH, SECONDED BY COUNCILMEMBER LARSON, TO ADOPT RESOLUTION NO. 12-44, AUTHORIZING STAFF TO SUBMIT ON BEHALF OF THE CITY APPLICATIONS FOR METROPOLITAN COUNCIL LIVABLE COMMUNITIES TOD GRANT FUNDS FOR THE TOD PROJECT COMPONENTS IDENTIFIED IN THE APPLICATIONS, AND TO EXECUTE SUCH AGREEMENTS AS MAY BE NECESSARY TO IMPLEMENT THE TOD PROJECTS ON BEHALF OF THE CITY.

Councilmember Klint indicated she had a resident question this item. She clarified that the City was not approving the item but merely applying for a grant.

Councilmember Schulte stated if the project does not make sense in the end the grant funds could be returned.

Councilmember Johnson requested a report from staff regarding status of the full access interchange at Foley Boulevard.

THE MOTION PASSED UNANIMOUSLY.

8. **SECURITY CAMERAS AT THE WEST WATER TREATMENT PLANT**
 - A. **CONSIDER RESOLUTION 12-45 AMENDING THE 2012 BUDGET TO APPROPRIATE FUNDS FROM THE WATER FUND BALANCE**
 - B. **AUTHORIZE PURCHASE OF CAMERAS**
-

Finance Director Legg presented a memorandum to Council stating Staff is requesting authorization to appropriate funds and purchase security cameras at the west water treatment plant.

As part of security measures for the west treatment facility, security cameras should be installed. A quote in the amount of \$13,367.85 tax included, was obtained from General Security Services Corporation for the purchase and installation of six cameras that will be connected to the City's current network, allowing video footage to be viewed remotely. General Security Services Corporation has installed all of the other cameras at Public Works. To ensure compatibility with the existing security camera system, staff is recommending awarding this project to General Security Services Corporation.

MOTION BY COUNCILMEMBER SCHULTE, SECONDED BY COUNCILMEMBER JOHNSON, TO ADOPT RESOLUTION NO. 12-45 AMENDING THE 2012 BUDGET TO

APPROPRIATE \$13,400 FROM THE WATER FUND BALANCE TO CAPITAL OUTLAY; AND AUTHORIZE THE STAFF TO PURCHASE THE CAMERAS AT A COST OF \$13,367.85 TAX INCLUDED.

Councilmember Koch questioned what the security cameras would be used for. Public Services Director Gatlin indicated the site has had some vandalism issues and that the access hatch has been breached. He noted the fence and door latch has been improved and the cameras would assist with increasing the security at this location.

THE MOTION PASSED UNANIMOUSLY.

OTHER BUSINESS

None.

ADJOURN

MOTION BY COUNCILMEMBER SANDERS, SECONDED BY COUNCILMEMBER JOHNSON, TO ADJOURN THE MEETING AT 8:46 P.M. THE MOTION PASSED UNANIMOUSLY.

Tim Howe, Mayor

ATTEST:

Cathy Sorensen, City Clerk



City Council Regular

2.

Meeting Date: 03/20/2012

Subject: Authorize Final Payment for Project 10-12, Coon Rapids Ice Center, 3A Precast Wall Panels

Submitted For: Sharon Legg, Finance Director

From: Dianne Nelson, Advanced Accounting
Technician

INTRODUCTION

The City Engineer recommends final payment to Wells Concrete Products Company.

DISCUSSION

A summary of Project 10-12, 3A Precast Wall Panels is as follows:

Contract completion date	06/22/11
Substantial completion date	06/22/11
Final completion date	09/01/11

Contract amount	\$824,500.00
Total additions/deletions	15,152.00
Final contract amount	839,652.00
Actual project cost	839,652.00
Less: previous payments by City	(804,319.40)
Amount due	\$35,332.60
Amount over final contract	\$0.00

The changes to this project were to provide additional stadium seating; thin brick in lieu of cast stone; a three piece precast wing wall in lieu of brick; and bearing walls and support steel at the resurfacer area to support the roof load.

ALIGNMENT WITH STRATEGIC VISION

This item relates to the Quality of Life section of the 2030 Strategic Vision. The City of Coon Rapids is a community in which people of all generations decide to invest themselves and their resources and communicate community pride.

RECOMMENDATION

Staff recommends approval of the change orders and final payment to Wells Concrete Products Company in the amount of \$35,332.60 for Project 10-12, 3A Precast Wall Panels.



City Council Regular

3.

Meeting Date: 03/20/2012

Subject: Accept Easement - Project 12-2

Submitted For: Stoney Hiljus, City Attorney

From: MariBeth Parks, Administrative
Secretary III

INTRODUCTION

Council is asked to accept an easement from the James M. Stanton Trust for sidewalk and snow storage purposes over portions of property located along 124th Avenue NW just west of Northdale Boulevard NW.

DISCUSSION

The City is planning to repave the street on 124th Avenue NW in 2012 and would like to include the completion of concrete sidewalk along the north side of the street. The existing right of way is too narrow. The City will pay all costs of installing the sidewalk and restoring disturbed areas, however, there will be an assessment to the property for the street reconstruction. The James M. Stanton Trust has provided the easement at no cost to the City.

ALIGNMENT WITH STRATEGIC VISION

This item relates to the **Quality of Life and Public Safety** sections of the 2030 Strategic Vision in the following way:

by constructing a safe walkway for the citizens of Coon Rapids along a busy roadway.

RECOMMENDATION

Council is asked to accept the easements from James M. Stanton Trust for sidewalk and snow storage purposes over portions of property located along 124th Avenue just west of Northdale Boulevard.

Attachments

Easement

Map

EASEMENT AGREEMENT

(12-2)

THIS INDENTURE, made this 13th day of March, 2012 between James M. Stanton, Trustee of the James M. Stanton Trust u/a February 24, 2010, herein referred to as the Landowner, and the City of Coon Rapids, a municipal corporation organized under the laws of the State of Minnesota, hereinafter referred to as the "City".

WITNESSETH:

That the said Landowner in consideration of the sum of One Dollar and other good and valuable consideration to it in hand paid by the City, the receipt and sufficiency of which is hereby acknowledged, does hereby grant and convey unto the said City, its successors and assigns, forever, a permanent easement for sidewalk and snow storage purposes over, under and across the following described property:

A permanent easement for sidewalk and snow storage purposes over, under and across the following described property:

Lot 1, Block 2, Riverdale 3rd Addition, Anoka County, Minnesota.
Subject to easements as shown on this plat for drainage and utility purposes only, Riverdale 34d Addition, filed as Document Number 198218 on July 11, 1990.

Said permanent easement is more particularly described as follows:

The most Southerly 15.00 feet of the above described property.

EXEMPT FROM STATE DEED TAX

This easement shall convey to the City, its contractors, agents, officers and employees the right to enter upon said premises at all reasonable times for the purpose of construction, grading,

sloping and restoration purposes, and all such purposes ancillary thereto, together with the right of said City, its contractors, agents, officers and employees to remove trees, brush, undergrowth and other obstructions from the easement area, as well as the right to deposit earthen materials within the easement area.

The City agrees to indemnify and hold the Landowner harmless from damages or claims resulting directly and solely from the use of the easements. This indemnification, however, shall not include and the City shall not be responsible for any and all costs, expenses, damages, demands, obligations, including penalties and reasonable attorney's fees, and losses resulting from any claims, actions, suits, or proceedings based upon a release or threat of release of any hazardous substances, pollutants, or contaminants which may have existed on, or which relate to, the property prior to the date hereof and which were not caused by the City.

Upon the completion of any construction, maintenance, or replacement project, the City will restore any disturbed areas including, but not limited to, the replacement of any damaged sod and plantings

Nothing contained herein shall be deemed a waiver by the City of any governmental immunity defenses, statutory or otherwise. Further, any and all claims brought by Landowner, its successors or assigns, shall be subject to any governmental immunity defenses of the City and the maximum liability limits provided in Minnesota Statutes Chapter 466.

And the said Landowner, for itself, its successors and assigns, does covenant with the City, its successors and assigns, that it is well seized in fee of the lands and premises aforesaid and has good right to grant and convey the easement herein to said City.

[Signatures on following page]

IN WITNESS WHEREOF, the said Landowner has caused this agreement to be executed as of the day and year first above written.

James M. Stanton Trust u/a February 24,
2010

By: 

James M. Stanton, Trustee

 CITY OF COON RAPIDS

By: _____

Tim Howe, Mayor

By: _____

Matthew S. Fulton, City Manager

[Signatures continue on following page]

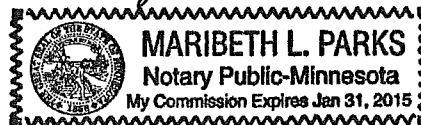
STATE OF MINNESOTA)

) ss.

COUNTY OF ANOKA)

On this 13th day of March, 2012, before me a Notary Public within and for said County, personally appeared James M. Stanton, Trustee of the James M. Stanton Trust u/a February 24, 2010, on behalf of the Trust.

Notary Public



STATE OF MINNESOTA)

) ss.

COUNTY OF ANOKA)

On this ____ day of _____, before me a Notary Public within and for said County, personally appeared Tim Howe and Matthew S. Fulton, the Mayor and City Manager for the City of Coon Rapids, a municipal corporation under the laws of the State of Minnesota, on behalf of the municipal corporation.

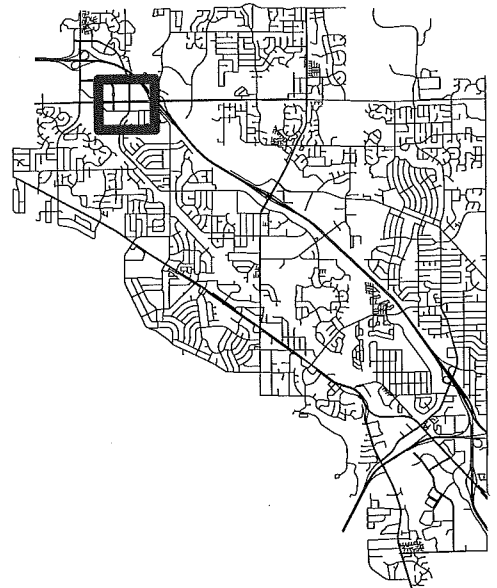
Notary Public

This instrument was drafted by:

Stoney L. Hiljus
Coon Rapids City Attorney
11155 Robinson Drive
Coon Rapids, Minnesota 55433
763- 767-6495



**COON
RAPIDS**
Minnesota





City Council Regular

4.

Meeting Date: 03/20/2012

Subject: Accept Easement - Project 12-3, Parcel 1

Submitted For: Stoney Hiljus, City Attorney

From: MariBeth Parks, Administrative
Secretary III

INTRODUCTION

Council is asked to accept an easement from Allina Medical Group now known as Allina Health System for sidewalk and snow storage purposes over portions of property located along Springbrook Drive NW.

DISCUSSION

The City plans to repave a portion of Springbrook Drive in 2012. As part of that project, the City would like to construct a new concrete sidewalk on each side of the street in areas where no walk exists so that there will be a continuous sidewalk. The City has looked at each of the properties involved and believes it would be best to construct some of the walk outside of existing street right-of-way in order to avoid conflicts with trees, signs, utility boxes, etc. This requires the City to obtain an easement for sidewalk purposes from each property owner. The City will pay all costs of installing the sidewalk and restoring disturbed areas as part of the construction including adjustment of underground sprinkling systems. Allina Health System has provided an easement for sidewalk and snow storage purposes at no cost to the City.

ALIGNMENT WITH STRATEGIC VISION

This item relates to the **Quality of Life and Public Safety** sections of the 2030 Strategic Vision in the following way:

by constructing a safe walkway for the citizens of Coon Rapids along a busy roadway.

RECOMMENDATION

Council is asked to accept the easement from Allina Health System for sidewalk and snow storage purposes over portions of their property located along Springbrook Drive NW.

Attachments

Easement

Parcel 1 Easement

EASEMENT AGREEMENT

(12-3)

THIS INDENTURE, made this ____ day of _____, _____, between Allina Medical Group now known as Allina Health System, a Minnesota nonprofit corporation, herein referred to as the Landowner, and the CITY OF COON RAPIDS, a municipal corporation organized under the laws of the State of Minnesota, hereinafter referred to as the "City".

WITNESSETH:

That the said Landowner in consideration of the sum of One Dollar and other good and valuable consideration to it in hand paid by the City, the receipt and sufficiency of which is hereby acknowledged, does hereby grant and convey unto the said City, its successors and assigns, forever, a permanent easement for public sidewalk purposes over, under and across the following described property:

A permanent easement for sidewalk and snow storage purposes over, under and across the westerly ten feet of the following described property:

Parcel 1:

That part of the Northeast Quarter of Section 36, Township 31, Range 24, Anoka County, Minnesota, described as follows: Beginning at the point of intersection of the South line of the North 26 rods of the South half of the Northeast Quarter of said Section 36 with a line run parallel with and distant 88 feet Westerly of the following described line: (said Westerly line to be hereinafter referred to as Line "A") Commencing at a point on the North line of said Section 36, distant 928.23 feet West of the Northeast corner thereof; thence run Southerly at an angle of 88 degrees 32 minutes 03 seconds from said North section line (measured from West to South) for a distance of 1090.90 feet; thence run Northwesterly at an angle of 42 degrees 37 minutes 30 seconds from said line for 292.21 feet; thence deflect to the right at an angle of 70 degrees 29 minutes 15 seconds for 100 feet to the point of beginning of the line to be described; thence run Southwesterly on the last described course for 151.79 feet; thence deflect to the left on a tangential curve having a radius of 674.07 feet and a delta angle of 48 degrees 14 minutes 30 seconds for 567.55 feet; thence on tangent to said curve for 188.73 feet; thence deflect to the right on a tangential curve having a radius of 3819.73 feet and a delta angle of 10 degrees 30 minutes 00 seconds for 700 feet and there terminating; thence on an assumed bearing of South 89 degrees 59 minutes 59 seconds West, along said South line of said North 26 rods a distance of 359.98 feet; thence North 10 degrees 53 minutes 33 seconds West a distance of 145.33 feet; thence

Northwesterly a distance of 279.70 feet along a tangential curve, concave to the Southwest having a delta angle of 51 degrees 16 minutes 54 seconds and a radius of 312.50 feet; thence Northwesterly a distance of 162.77 feet along a reverse curve concave to the Northeast having a central angle of 40 degrees 45 minutes 41 seconds and a radius of 228.79 feet; thence North 21 degrees 24 minutes 46 seconds West a distance of 260.18 feet, said point hereinafter known as Point "B"; thence North 21 degrees 24 minutes 46 seconds West 48.23 feet; thence Northerly and Northeasterly a distance of 508.97 feet along a tangential curve concave to the East having a central angle of 70 degrees 14 minutes 19 seconds and a radius of 415.18 feet; thence North 48 degrees 49 minutes 33 seconds East a distance of 220.00 feet to the Southwesterly right of way line of Coon Rapids Boulevard; thence South 41 degrees 10 minutes 27 seconds East along said right of way a distance of 683.53 feet to its intersection with said Line "A"; thence Southerly along said Line "A" to the point of beginning. Which lies Southerly of the following described line and its extensions: Beginning at Point "B" described above; thence South 89 degrees 42 minutes 12 seconds East 652.87 feet to its intersection with said Line A and there terminating.

Parcel 2:

That part of the Northeast Quarter of Section 36, Township 31, Range 24, Anoka County, Minnesota, described as follows: Beginning at the point of intersection of the South line of the North 26 rods of the South half of the Northeast Quarter of said Section 36 with a line run parallel with and distant 88 feet Westerly of the following described line: (said Westerly line to be hereinafter referred to as Line "A") Commencing at a point on the North line of said Section 36, distant 928.23 feet West of the Northeast corner thereof; thence run Southerly at an angle of 88 degrees 32 minutes 03 seconds from said North section line (measured from West to South) for a distance of 1090.90 feet; thence run Northwesterly at an angle of 42 degrees 37 minutes 30 seconds from said line for 292.21 feet; thence deflect to the right at an angle of 70 degrees 29 minutes 15 seconds for 100 feet to the point of beginning of the line to be described; thence run Southwesterly on the last described course for 151.79 feet; thence deflect to the left on a tangential curve having a radius of 674.07 feet and a delta angle of 48 degrees 14 minutes 30 seconds for 567.55 feet; thence on tangent to said curve for 188.73 feet; thence deflect to the right on a tangential curve having a radius of 3819.73 feet and a delta angle of 10 degrees 30 minutes 00 seconds for 700 feet and there terminating; thence on an assumed bearing of South 89 degrees 59 minutes 59 seconds West, along said South line of said North 26 rods a distance of 390.78 feet; thence South 15 degrees 28 minutes 04 seconds East a distance of 220.00 feet; thence North 74 degrees 31 minutes 56 seconds East a distance of 379.38 feet to the intersection with said Line "A"; thence Northerly, along said Line "A" a distance of 115.82 feet on a nontangential curve concave to the West having a radius of 3731.73 feet and a central angle of 1 degree 46 minutes 42 seconds to the point of beginning. The chord of last said curve bears North 16 degrees 49 minutes 43 seconds West and is 115.81 feet in length.

Parcel 3:

That part of the North 26 rods of the South Half of the Northeast Quarter of Section 36, Township 31, Range 24, Anoka County, Minnesota, lying South and West of Line 1 described below and lying North and East of Line 2 described below:

Line 1:

Commencing at the point of intersection of the South line of said North 26 rods with a line run parallel with and distant 88 feet Westerly of Line A described as follows: Commencing at a point on the North line of said Section 36, distant 928.23 feet West of the Northeast corner thereof; thence run Southerly at an angle of 88 degrees 32 minutes 03 seconds from said North section line (measured from West to South) for a distance of 1090.90 feet; thence run Northwesterly at an angle of 42 degrees 37 minutes 30 seconds from said line for 292.21 feet; thence deflect to the right at an angle of 70 degrees 29 minutes 15 seconds for 100 feet to the point of beginning of said Line A; thence run Southwesterly on the last described course for 151.79 feet; thence deflect to the left on a tangential curve having a radius of 674.07 feet and a delta angle of 48

degrees 14 minutes 30 seconds for 567.55 feet; thence on tangent to said curve for 188.73 feet; thence deflect to the right on a tangential curve having a radius of 3819.73 feet and a delta angle of 10 degrees 30 minutes 00 seconds for 700 feet and there terminating; thence on an assumed bearing of South 89 degrees 59 minutes 59 seconds West, along said South line of said North 26 rods a distance of 359.98 feet to the actual point of beginning of Line 1 to be herein described; thence North 10 degrees 53 minutes 33 seconds West a distance of 145.33 feet; thence Northwesterly a distance of 279.70 feet along a tangential curve, concave to the Southwest having a delta angle of 51 degrees 16 minutes 54 seconds and a radius of 312.50 feet; thence Northwesterly a distance of 162.77 feet along a reverse curve concave to the Northeast having a central angle of 40 degrees 45 minutes 41 seconds and a radius of 228.79 feet; thence North 21 degrees 24 minutes 46 seconds West a distance of 260.18 feet and there terminating.

Line 2:

Commencing at the actual point of beginning of Line 1 described above; thence South 89 degrees 59 minutes 59 seconds West along said South line 30.80 feet to the point of beginning of said Line 2; thence North 15 degrees 28 minutes 04 seconds West a distance of 110.35 feet; thence Northwesterly a distance of 265.40 feet along a tangential curve, concave to the Southwest having a delta angle of 31 degrees 02 minutes 00 seconds and a radius of 490.00 feet; thence Northwesterly a distance of 179.53 feet along a reverse curve concave to the Northwest having a central angle of 25 degrees 05 minutes 18 seconds and a radius of 410.00 feet to the intersection of Line 1 described above and there terminating.

EXEMPT FROM STATE DEED TAX

This easement shall convey to the City, its contractors, agents, officers and employees the right to enter upon said premises at all reasonable times for the purpose of construction, grading, sloping and restoration purposes, and all such purposes ancillary thereto, together with the right of said City, its contractors, agents, officers and employees to remove trees, brush, undergrowth and other obstructions from the easement area, as well as the right to deposit earthen materials within the easement area.

The City agrees to indemnify and hold the Landowner harmless from damages or claims resulting directly and solely from the use of the easements. This indemnification, however, shall not include and the City shall not be responsible for any and all costs, expenses, damages, demands, obligations, including penalties and reasonable attorney's fees, and losses resulting from any claims, actions, suits, or proceedings based upon a release or threat of release of any hazardous substances, pollutants, or contaminants which may have existed on, or which relate to, the property prior to the date hereof and which were not caused by the City.

Upon the completion of any construction, maintenance, or replacement project, the City will restore any disturbed areas including, but not limited to, the replacement of any damaged sod and plantings

Nothing contained herein shall be deemed a waiver by the City of any governmental immunity defenses, statutory or otherwise. Further, any and all claims brought by Landowner,

its successors or assigns, shall be subject to any governmental immunity defenses of the City and the maximum liability limits provided in Minnesota Statutes Chapter 466.

And the said Landowner, for itself, its successors and assigns, does covenant with the City, its successors and assigns, that it is well seized in fee of the lands and premises aforesaid and has good right to grant and convey the easement herein to said City.

IN WITNESS WHEREOF, the said Landowner has caused this agreement to be executed as of the day and year first above written.

ALLINA MEDICAL GROUP
now known as ALLINA HEALTH
SYSTEM

By: 

Its: VP, Finance & Treasury

CITY OF COON RAPIDS

By: _____

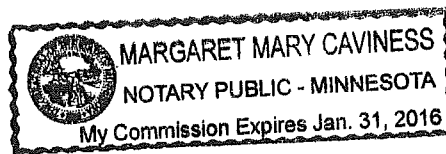
Tim Howe, Mayor

By: _____

Matthew S. Fulton, City Manager

[Signatures continue on following page]

STATE OF MINNESOTA)
Hennepin) ss.
COUNTY OF ANOKA)



On this 8th day of March, 2012, before me a Notary Public within and for said County, personally appeared LAVARIE LAFONTAINE, the Vice Pres. FINANCE & TREAS of Allina Medical Group now known as Allina Health System, a Minnesota nonprofit corporation, on behalf of the nonprofit corporation.

Notary Public

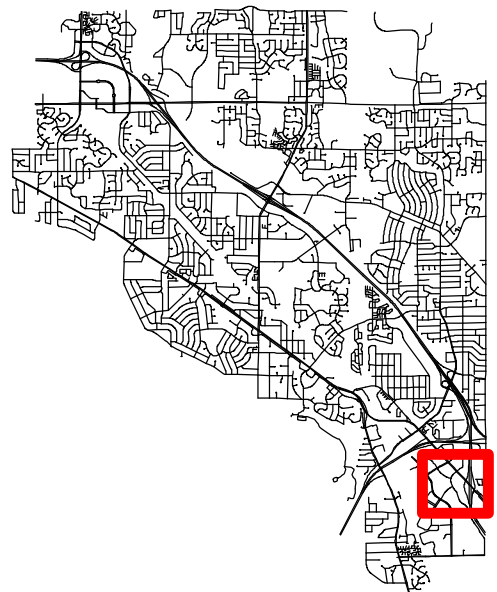
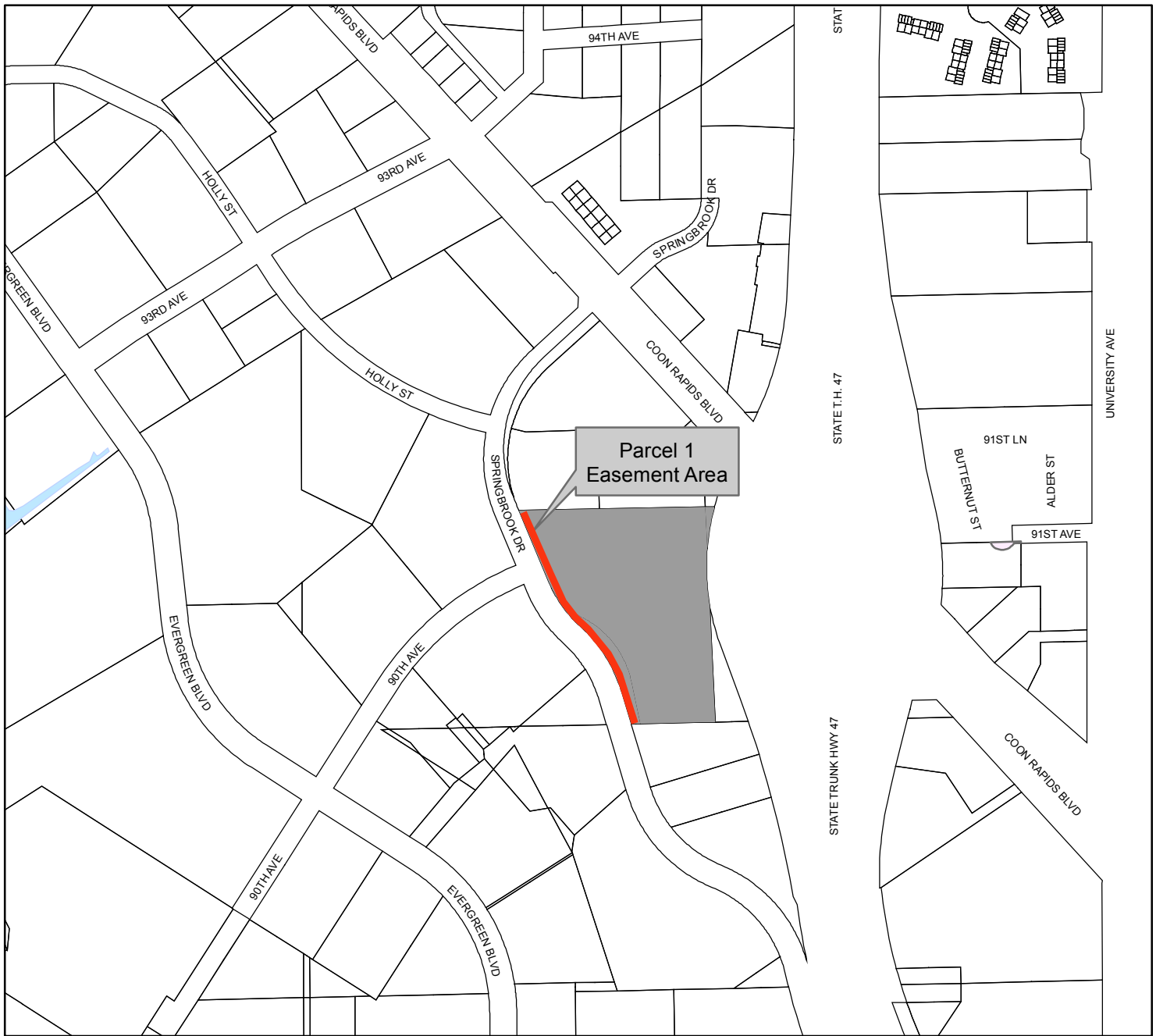
STATE OF MINNESOTA)
) ss.
COUNTY OF ANOKA)

On this ____ day of _____, before me a Notary Public within and for said County, personally appeared Tim Howe and Matthew S. Fulton, the Mayor and City Manager for the City of Coon Rapids, a municipal corporation under the laws of the State of Minnesota, on behalf of the municipal corporation.

Notary Public

This instrument was drafted by:

Stoney L. Hiljus
Coon Rapids City Attorney
11155 Robinson Drive
Coon Rapids, Minnesota 55433
763-767-6495





City Council Regular

5.

Meeting Date: 03/20/2012

Subject: Hold Public Hearing/Assessment Hearing and Order Project--Collector Streets--Project 12-2

From: Doug Vierzba, City Engineer

INTRODUCTION

The City is proposing street reconstruction on three collector streets in 2012 under this project. A feasibility report has been prepared and was presented to Council on February 21, 2012. Council is requested to hold the public hearing/assessment hearing and then adopt a resolution ordering the project.

DISCUSSION

There are 2.2 miles of streets proposed for reconstruction under this project as follows—(see map)

1. 119th Avenue --Blackfoot Street to Jonquil Street
2. Northdale Boulevard --west of Crooked Lake Boulevard to 124th Avenue
3. 124th Avenue --west of Northdale Boulevard, a 600-foot length

Council ordered preparation of a feasibility report on January 17, 2012 and received the report on February 21, 2012. The project would propose to replace concrete curb that is in poor condition, install ADA compliant pedestrian curb ramps at all intersections, and repave a new bituminous surface. The City's assessment policy provides for assessment of \$1,575 per home for properties that have direct access to the street. There are only 4 single-family homes to be assessed for this project. There are 15 townhomes and two apartment building sites that are to be assessed based on front-footage at a rate of \$19.69 per foot. There are four commercial sites that access the streets and they are to be assessed based on front-footage at a commercial rate of \$39.38 per foot. These sites include Target Store and Wells Fargo Bank. Assessments would be made over a 10-year period with interest rate of 3.1%. The actual assessment would be adopted by Council on May 15, 2012.

The County is planning to install new traffic signals and widen the intersection at Northdale Boulevard and Crooked Lake Boulevard in 2013. Therefore a portion of Northdale Boulevard(adjacent to the American Legion) will not be repaved under the City project in 2012, but will be repaved as part of the County project in 2013. Also, Mercy Hospital is planning to develop the site north of Coon Rapids Boulevard and west of Blackfoot Street next year. Therefore, the reconstruction of Blackfoot Street is not going to be included with this project as originally proposed. Blackfoot Street will most likely be included in the 2013 or 2014 program if the development proceeds as planned.

A neighborhood meeting was held on March 12th and no one attended.

Staff has received one phone call from a long-time homeowner(Mr. Tom Compton) on Northdale Boulevard at 3001-118th Lane. The property owner does not believe he should be assessed for improvements to Northdale Boulevard even though his driveway access is to Northdale Boulevard. However, before Northdale Boulevard was improved 25 years ago, the property owner had access to 118th Lane. The City purchased a portion of his property along Northdale Boulevard to build Northdale Boulevard and required him to access Northdale Boulevard. It is much more difficult to access Northdale Boulevard due to the busy traffic(over 13,000 vehicles per day). The homeowner is questioning benefit to his property and would like the City to drop this assessment(\$1,575). This is

the only home that has direct access to Northdale Boulevard. Council is requested to consider this request.

ALIGNMENT WITH STRATEGIC VISION

This item relates to the **Transportation** section of the 2030 Strategic Vision in the following way:

The City has an efficient and well maintained system of roads, sidewalks, and trails. Repaving these streets will improve the City's collector street system and reduce maintenance costs.

RECOMMENDATION

It is recommended that Council take the following action—

- a. Hold the public hearing and assessment hearing
- b. Consider the request from the homeowner to not assess the property at 3001-118th Lane
- c. Adopt Resolution No. 12-2(6A) ordering the project. (Note—a super majority vote is needed as this is a non-petitioned project)

Fiscal Impact

BUDGET IMPACT:

The City proposes to assess \$107,486.91 to benefiting properties as part of this project. The remaining cost (\$1,392,500) will be paid using the City's State Aid construction fund. The City receives approximately \$2M annually for these projects. This year the City has received approval of an "advance" of an additional \$2.3 M to help pay for all the work proposed for 2012. An advance of future funds will be needed again for next year's reconstruction program. The advance of funds will taper off over a few years until the fund is back to "normal", allowing for some reconstruction each year and into the future.

Attachments

12-2 Map

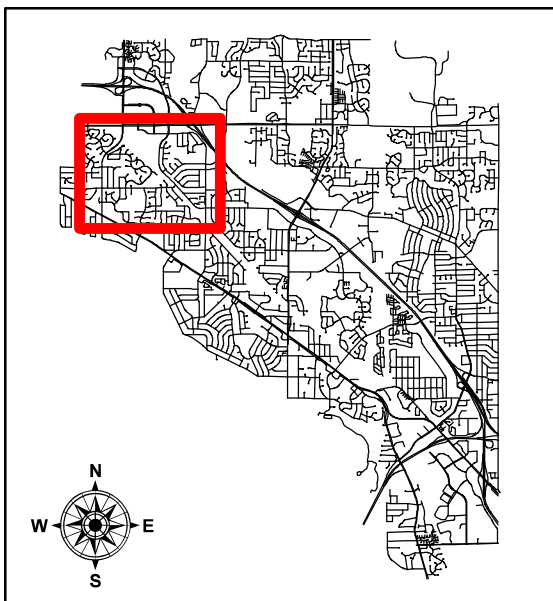
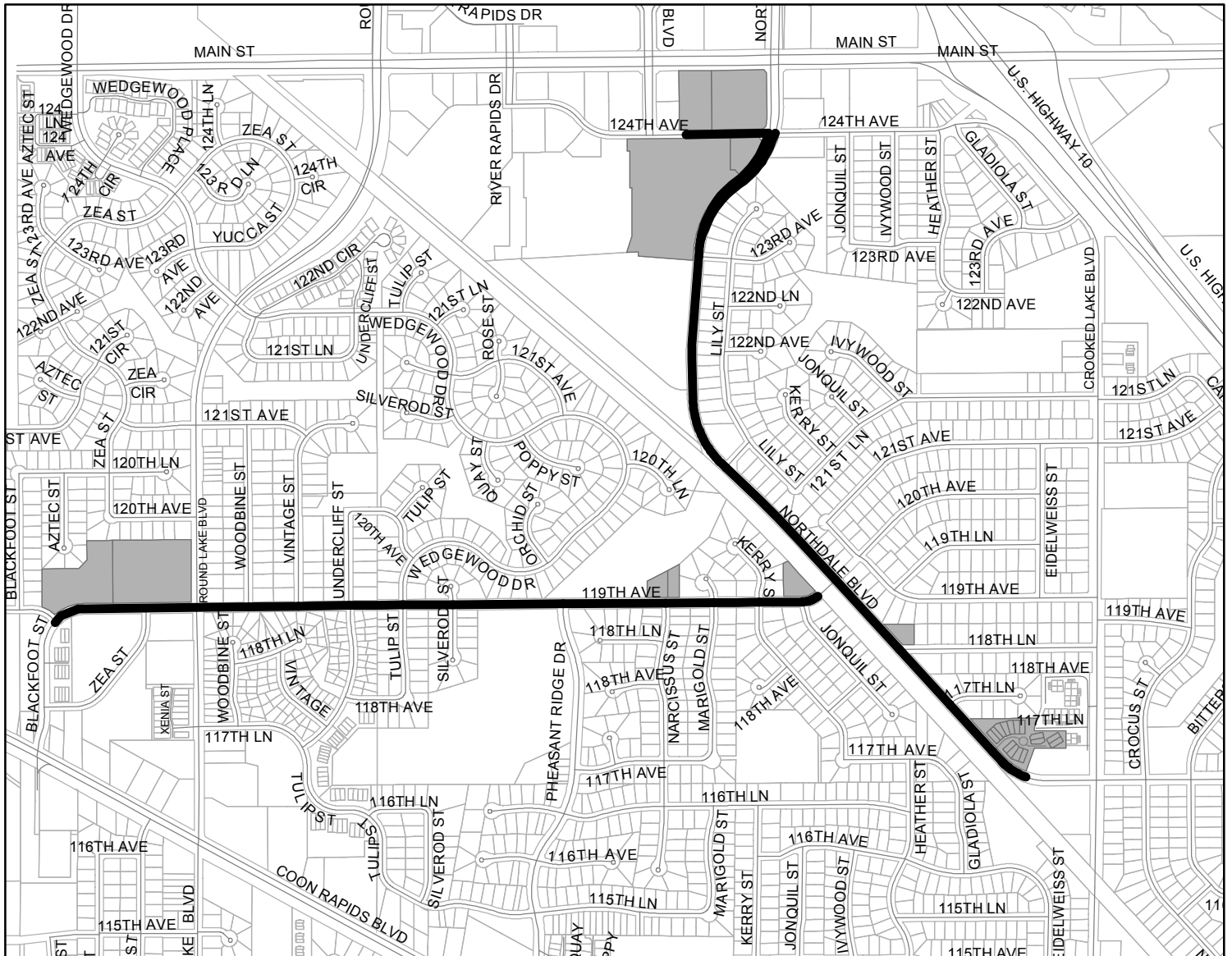
3001-118th LN

Resolution No. 12-2(6A)

Project 12-2

2012 Street Reconstruction Program

2012 Proposed Reconstruction



Area of Benefit



COON
RAPIDS
Minnesota



Aerial Photo: Flown Spring 2011



Prepared by Anoka
County GIS Department
This is a compilation of records as
they appear in the Anoka County
Official Records. This drawing is to be used only for
reference purposes and the
County is not responsible for any
inaccuracies herein contained.

RESOLUTION NO. 12-2(6A)

(6) RESOLUTION ORDERING IMPROVEMENT

WHEREAS, a resolution of the City Council adopted on the 21st day of February, 2012, fixed a date for a Council hearing on the proposed improvement of 119th Avenue from Blackfoot Street to Jonquil Street, Northdale Boulevard from west of Crooked Lake Boulevard to 124th Avenue, and 124th Avenue west of Northdale Boulevard by street reconstruction; and

WHEREAS, ten days' published notice of the hearing through two weekly publications of the required notice and mailed notices to affected property owners were given and the hearing was held thereon on the 20th day of March, 2012, at which all persons desiring to be heard were given an opportunity to be heard thereon and the maximum estimated amount of debt to be incurred by the City is \$1,500,000; and

WHEREAS, the City of Coon Rapids expects to reimburse all or a portion of the project expenditures with the proceeds of debt to be incurred by the City; and

WHEREAS, this declaration is made pursuant to Section 1.103-18 of the Income Tax Regulations of the Internal Revenue Service.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Coon Rapids, Minnesota:

1. Such improvement is necessary, cost effective, and feasible as detailed in the feasibility report.
2. Such improvement is hereby ordered as proposed in the Council Resolution adopted on the 20th day of March, 2012.

Adopted this 20th day of March, 2012.

Tim Howe, Mayor

ATTEST:

Catherine M. Sorensen, City Clerk



City Council Regular

6.

Meeting Date: 03/20/2012

Subject: Hold Public Hearing/Assessment Hearing and Order Project-- Collector Streets--Project 12-3

From: Doug Vierzba, City Engineer

INTRODUCTION

The City is proposing street reconstruction on five collector streets in 2012 under this project. A feasibility report was presented to Council on February 21, 2012. Council is requested to hold the public hearing/assessment hearing and then adopt the resolution ordering the project.

DISCUSSION

There are 2.0 miles of streets proposed for reconstruction under this project as follows—(see map)

1. Hanson Boulevard –south of Mississippi Boulevard to 99th Avenue
2. 99th Avenue --east of Hanson Boulevard to Egret Boulevard
3. Egret Boulevard –north of 99th Avenue to frontage road
4. 99th Avenue --west of Foley Boulevard to Coon Rapids Boulevard Extension
5. Springbrook Drive –south of Holly Street (a length of 0.21 mile)

Council ordered preparation of a feasibility report on January 17, 2012 and received the report on February 21st. The project would propose to replace concrete curb that is in poor condition, install ADA compliant pedestrian curb ramps at all intersections, and repave a new bituminous surface. The project would include construction of right-turn lanes on 99th Avenue, west of Foley Boulevard, for northbound traffic at the entrance to the shopping center and for Woodcrest Drive. The project would also include construction of sidewalk on both sides of Springbrook Drive if owners agree to dedicate easements for the sidewalk. The City's assessment policy provides for assessment of \$1,575 per home for properties that have direct access to the street. There are 30 single-family homes to be assessed for this project. There are two apartment building sites that are to be assessed based on front-footage at a rate of \$19.69 per foot. There are 7 commercial sites that access the streets and they are to be assessed based on front-footage at a commercial rate of \$39.38 per foot. State Aid funds can be used to pay for the balance of the cost. Assessments would be made over a 10-year period with interest rate of 3.1%. The actual assessment would be adopted by Council on May 15, 2012.

A neighborhood meeting was held on March 12th and no one attended. There have been no phone calls from property owners objecting to the project or proposed assessment.

ALIGNMENT WITH STRATEGIC VISION

This item relates to the **Transportation** section of the 2030 Strategic Vision in the following way:

The City has an efficient and well maintained system of roads, sidewalks, and trails. Repaving these streets will improve the City's collector street system and reduce maintenance costs. Construction of sidewalks along Springbrook Drive will improve pedestrian safety.

RECOMMENDATION

It is recommended that Council take the following action—

- a. Hold the public hearing/assessment hearing
- b. Adopt Resolution No. 12-3(6A) ordering the project . (Note—a super majority vote is needed as this is a non-petitioned project.)

Fiscal Impact

BUDGET IMPACT:

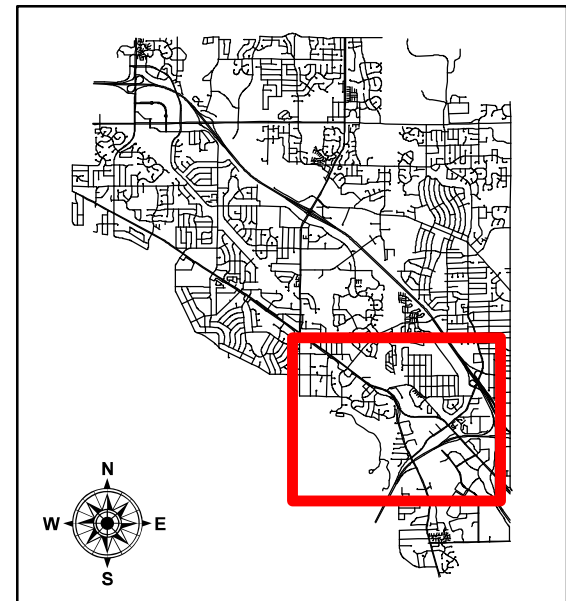
The City proposes to assess \$159,601.14 to benefiting properties as part of this project. The remaining cost(\$1,140,000) will be paid using the City's State Aid construction fund. The City receives approximately \$2M annually for these projects. This year the City has received approval of an “advance” of an additional \$2.3 M to help pay for all the work proposed for 2012. An advance of future funds will be needed again for next year's reconstruction program. The advance of funds will taper off over a few years until the fund is back to “normal”, allowing for some reconstruction each year and into the future.

Attachments

12-3 Map

Resolution No. 12-3(6A)

114



COON
RAPIDS
Minnesota

RESOLUTION NO. 12-3(6A)

(6) RESOLUTION ORDERING IMPROVEMENT

WHEREAS, a resolution of the City Council adopted on the 21st day of February, 2012, fixed a date for a Council hearing on the proposed improvement of Hanson Boulevard south of Mississippi Boulevard, 99th Avenue east of Hanson Boulevard, Egret Boulevard north of 99th Avenue, 99th Avenue west of Foley Boulevard, and Springbrook Drive south of Holly Street by street reconstruction; and

WHEREAS, ten days' published notice of the hearing through two weekly publications of the required notice and mailed notices to affected property owners were given and the hearing was held thereon on the 20th day of March, 2012, at which all persons desiring to be heard were given an opportunity to be heard thereon and the maximum estimated amount of debt to be incurred by the City is \$1,300,000; and

WHEREAS, the City of Coon Rapids expects to reimburse all or a portion of the project expenditures with the proceeds of debt to be incurred by the City; and

WHEREAS, this declaration is made pursuant to Section 1.103-18 of the Income Tax Regulations of the Internal Revenue Service.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Coon Rapids, Minnesota:

1. Such improvement is necessary, cost effective, and feasible as detailed in the feasibility report.
2. Such improvement is hereby ordered as proposed in the Council Resolution adopted on the 20th day of March, 2012.

Adopted this 20th day of March, 2012.

Tim Howe, Mayor

ATTEST:

Catherine M. Sorensen, City Clerk



City Council Regular

7.

Meeting Date: 03/20/2012

Subject: Hold Public Hearing/Assessment Hearing and Order Project, Collector Street--Project 12-4

From: Doug Vierzba, City Engineer

INTRODUCTION

The City is proposing to work with the City of Andover on street reconstruction on 133rd Avenue, west of Hanson Boulevard, in 2012. This one mile long street is a border street with the City of Andover. The construction project is proposed to be handled by the City of Andover but each City must hold hearings to assess benefiting properties in each City. Council is requested to hold a public hearing and assessment hearing and then adopt a resolution ordering the project.

DISCUSSION

Council ordered preparation of a feasibility report on January 17, 2012 and accepted the report on February 21st. The project would propose to replace concrete curb that is in poor condition, install ADA compliant pedestrian curb ramps at all intersections, and repave a new bituminous surface. The City's assessment policy provides for assessment of \$1,575 per home for properties that have direct access to the street. There are 3 single-family homes in Coon Rapids to be assessed for this project. Council has approved a Joint Powers Agreement (JPA) with the City of Andover providing for Andover to bill the City for 50% of the project cost. State Aid funds can be used to pay for the costs not recovered through assessments. Assessments would be made over a 10-year period with interest rate of 3.1%. There have been no objections to the project from the three property owners that would be assessed for this project. Council would adopt the actual assessment on May 15th.

ALIGNMENT WITH STRATEGIC VISION

This item relates to the **Transportation** section of the 2030 Strategic Vision in the following way:

The City has an efficient and well maintained system of roads, sidewalks, and trails. Repaving this street will improve the City's collector street system and reduce maintenance costs.

RECOMMENDATION

It is recommended that Council take the following action—

- a. Hold the public hearing/assessment hearing.
- b. Adopt Resolution No. 12-4(6A) ordering the project. (Note - a super majority vote is needed as this is a non-petitioned project.)

Fiscal Impact

BUDGET IMPACT:

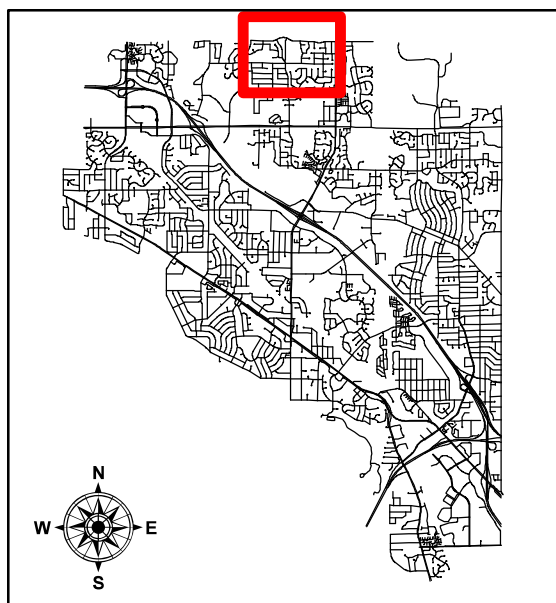
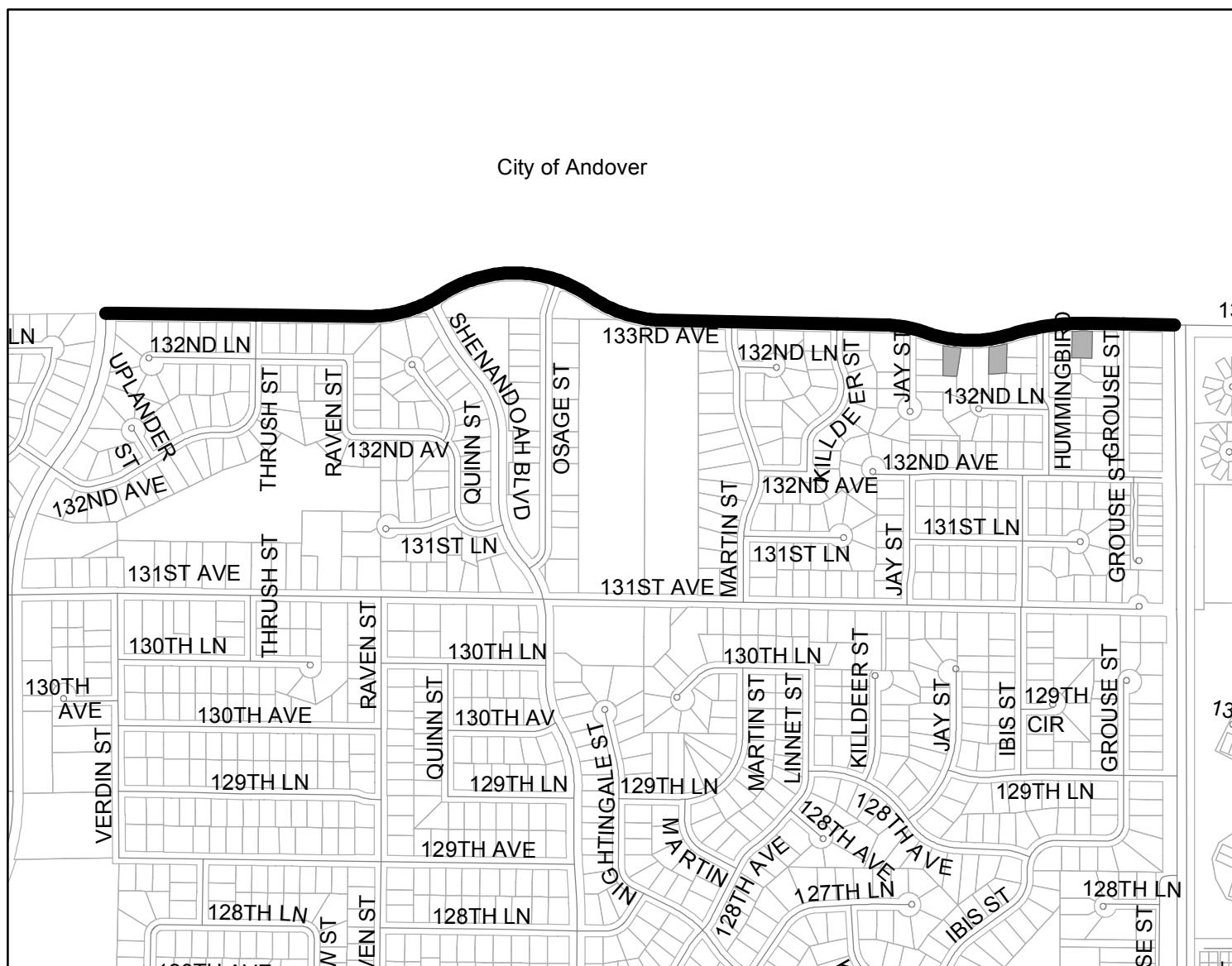
The City proposes to assess \$4,725 to benefiting properties as part of this project. The remaining cost(\$390,000) will be paid using the City's State Aid construction fund. The City receives approximately \$2M annually for these projects. This year the City has received approval of an "advance" of an additional \$2.3 M to help pay for all the work proposed for 2012. An advance of future funds will be needed again for next year's reconstruction program. The advance of funds will taper off over a few years until the fund is back to "normal", allowing for some reconstruction each year and into the future.

Attachments

12-4 Map

Resolution No. 12-4(6A)

114



Area of Benefit



COON
RAPIDS
Minnesota

RESOLUTION NO. 12-4(6A)

(6) RESOLUTION ORDERING IMPROVEMENT

WHEREAS, a resolution of the City Council adopted on the 21st day of February, 2012, fixed a date for a Council hearing on the proposed improvement of 133rd Avenue from Coon Creek Boulevard to Hanson Boulevard by street reconstruction; and

WHEREAS, ten days' published notice of the hearing through two weekly publications of the required notice and mailed notices to affected property owners were given and the hearing was held thereon on the 20th day of March, 2012, at which all persons desiring to be heard were given an opportunity to be heard thereon and the maximum estimated amount of debt to be incurred by the City is \$395,000; and

WHEREAS, the City of Coon Rapids expects to reimburse all or a portion of the project expenditures with the proceeds of debt to be incurred by the City; and

WHEREAS, this declaration is made pursuant to Section 1.103-18 of the Income Tax Regulations of the Internal Revenue Service.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Coon Rapids, Minnesota:

1. Such improvement is necessary, cost effective, and feasible as detailed in the feasibility report.
2. Such improvement is hereby ordered as proposed in the Council Resolution adopted on the 20th day of March, 2012.

Adopted this 20th day of March, 2012.

Tim Howe, Mayor

ATTEST:

Catherine M. Sorensen, City Clerk



City Council Regular

8.

Meeting Date: 03/20/2012

Subject: Contract Award - Project 12-8, 2012 Sanitary Sewer Lining Program

Submitted For: Steve Gatlin, Public Services Director

From: Cher Ridout, Admin Secretary II

INTRODUCTION

Bids were received on March 2, 2012 for the 2012 Sanitary Sewer Lining Project. Council is requested to consider award of a contract at this time.

DISCUSSION

On February 8, 2012, Council approved preparation of plans and specifications and ordered advertisement for bids for the next phase of the Sanitary Sewer Lining Program. Our consultant, SEH, prepared the plans for the project. Bids were opened on March 2, 2012. There were five bids received for this project. A summary of the bids is listed below:

Insituform Technologies USA	\$856,077.60
Veit & Company, Inc.	\$886,792.00
Lametti and Sons, Inc.	\$957,879.00
Visu-Sewer	\$1,224,599.25
Michels Corporation	\$1,245,001.00
Engineer's Estimate	\$975,648.20

The low bid was submitted by Insituform Technologies USA, Inc. Their bid of \$856,077.60 is \$119,570.60 or approximately 14% less than the engineer's estimate. Insituform has done sanitary sewer and watermain lining for the City in the past and has done a good job. A letter of recommendation for award of a contract from SEH, Inc. is attached. Based upon staff and consultant review, it is recommended that the contract for this project be awarded to Insituform Technologies. If Council awards the contract, work will begin in summer of 2012 and be completed by fall of this year.

ALIGNMENT WITH STRATEGIC VISION

This item relates to the Quality of Life section of the City's long term strategic vision by providing an efficient and well maintained sanitary sewer system.

RECOMMENDATION

I recommend the City Council adopt Resolution No. 12-8(9) awarding a contract to Insituform Technologies USA, Inc. in the amount of \$856,077.60 for the 2012 Sanitary Sewer Lining Project.

Fiscal Impact

BUDGET IMPACT:

The total estimated cost of the project is \$921,000. The Sanitary Sewer Utility Fund contains \$1,250,000 that was budgeted for the Sanitary Sewer Lining Program in 2012.

Attachments

12-8 SEH Award Letter

12-8 Map

Resolution No. 12-8(9)



March 7, 2012

RE: City of Coon Rapids
2012 Sanitary Sewer Lining
City Project No. 12-08
SEH No. COONR 118972 14.00

Honorable Mayor and Members of the City Council
City of Coon Rapids
11155 Robinson Dr. NW
Coon Rapids, MN 55433-3761

Dear Honorable Mayor and City Council Members:

Bids were received at the City Hall at 10:00 a.m. of Friday, March 2, 2012 for the above-referenced improvement. Five bids, ranging in price from a low bid of \$856,077.60 to a high bid of \$1,245,001.00 were received. The engineer's estimate for the project is \$975,648.20. Below is a summary of the bids received.

	Contractor	Total Bid
1	Insituform Technologies USA, LLC.	\$856,077.60
2	Veit & Company, Inc.	\$886,792.00
3	Lametti & Sons	\$957,792.00
4	Visu-Sewer.	\$1,224,599.25
5	Michels Corporation.	\$1,245,001.00
Engineer's Estimate		\$975,648.20

The low bid was submitted by Insituform Technologies USA, LLC. This bid is \$30,714.40 (3.6%) less than the second low bid, and \$119,570.60 (14.0%) less than the engineer's estimate.

Based upon review and Insituform Technologies USA, LLC submittal of the lowest responsible bid, SEH recommends the contract to construct the above referenced improvements, City Project #12-08, be awarded to Insituform Technologies USA, LLC for the Unit Price Contract amount of eight hundred fifty-six thousand seventy-seven dollars and sixty cents (\$856,077.60).

If you have any questions concerning this matter, please feel free to contact me at 651.490.2035.

Sincerely,

A handwritten signature in black ink, appearing to read "Donald R. Lutch", written over a light blue circular stamp.

Donald R. Lutch, PE
Project Manager

Enclosures

c: Mr. Steven Gatlin, Director of Public Services, City of Coon Rapids
Mr. Rick Bednar, Utilities Supervisor, City of Coon Rapids
Mr. Doug Vierzba, City Engineer
Kris Linqvist, Deputy City Clerk

PLOTTED: 1/17/2012 11:37:13 AM
MODIFIED: 1/17/2012 10:45:17 AM

[illegible]

RESOLUTION NO. 12-8(9)

**(9) RESOLUTION ACCEPTING BID AND
AWARDING CONTRACT**

WHEREAS, pursuant to an advertisement for bids for the improvement of the City's sanitary sewer system by relining existing sewer pipe, bids were received, opened and tabulated according to law, and the following bids were received complying with the advertisement: (3 lowest)

Insituform Technologies USA, Inc.	\$856,077.60
Veit & Company, Inc.	\$886,792.00
Lametti and Sons, Inc.	\$957,879.00

WHEREAS, it appears that Insituform Technologies USA, Inc. of Chesterfield, Missouri is the lowest responsible bidder; and

WHEREAS, the City of Coon Rapids expects to reimburse all or a portion of the project expenditures with the proceeds of debt to be incurred by the City; and

WHEREAS, this declaration is made pursuant to Section 1.103-18 of the Income Tax Regulations of the Internal Revenue Service.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Coon Rapids, Minnesota that the bid of \$856,077.60 by Insituform Technologies USA, Inc. for Coon Rapids Improvement Project(s) 12-8 be accepted as the lowest responsible bid.

BE IT FURTHER RESOLVED that the Mayor and City Manager are hereby authorized and directed to enter into a contract with Insituform Technologies USA, Inc. of Chesterfield, Missouri for the improvement of the City's sanitary sewer system by relining existing sewer pipe according to the plans and specifications therefore approved by the City Council and on file in the office of the City Clerk.

BE IT FURTHER RESOLVED that the City Clerk is hereby authorized and directed to return forthwith to all bidders the deposits made with their bids, except that the deposits of the successful bidder and the next two lowest bidders shall be retained until a contract has been signed.

Adopted this 20th day of March, 2012.

Tim Howe, Mayor

ATTEST:

Catherine M. Sorensen, City Clerk



City Council Regular

9.

Meeting Date: 03/20/2012

Subject: Contested Misc. Assessment 2012 (1B) to be Levied

From: Heidi Cederstrand, Assessment Clerk II

INTRODUCTION

The recommendations of the Board of Adjustment and Appeals on contested miscellaneous special assessments are referred to the City Council for adoption.

DISCUSSION

As you know, after the assessment hearing on miscellaneous assessments was held on February 8, 2012, property owners who were objecting to their assessments were referred to the Board of Adjustment and Appeals for review at their meeting on March 1, 2012. Minutes from that meeting are attached. After the Board of Adjustment and Appeals heard objections on March 1, 2012, the following recommendations have been made (names in bold were in attendance, all others were not present):

Case #	Address/PIN#	Assessment(s)	Board of Adj. Recommendation
12-03V	Bruce Nelson 2961 121st Avenue NW 09-31-24-31-0080	Citation Fee-No Rental License-\$530.00 Citation Fee-No Rental License -\$1,030.00	Affirm Assessments-\$1,560.00
12-04V	Gerald & Penny Patt 2121 109th Avenue NW 15-31-24-34-0138	Citation Fee-Removal & Disposal-\$330.00 Removal & Disposal-\$411.00	Affirm Assessments-\$741.00
12-05V	Derek Glowacki 10024 Cottonwood Street NW 25-31-24-11-0020	Citation Fee-Mowing/Weed-\$330.00	Affirm Assessment- \$330.00
12-07V	Barbara Curry 2190 Coon Rapids Blvd. 22-31-24-24-0068	Citation Fee-Excited Tabs-\$330.00 Citation Fee-Removal & Disposal-\$330.00	Affirm Assessments- \$660.00
12-08V	Leslie Price 1947 108th Lane NW 22-31-24-12-0065	Citation Fee-Removal & Disposal-\$300.00 Removal & Disposal-\$383.50	Affirm Assessments-\$683.50 Paid off on 3/6/12
12-09V	Jon Smoluch 10522 Foley Blvd. NW 24-31-24-13-0108	Excessive Consumption-\$180.00 Citation Fee-Excited Tabs-\$330.00 Citation Fee-Removal & Disposal-\$330.00 Removal & Disposal-\$353.50 Citation Fee-Expired Tabs-\$630.00 Citation Fee-Expired Tabs-\$630.00 Citation Fee-No Garbage Service-\$330.00 Citation Fee-No Garbage Service-\$330.00	Affirm Assessments-\$3,113.50
12-10V	Derrek Rand Abendroth 10640 Arrowhead Street NW 21-31-24-13-0007	Citation Fee-Parking off Pavement-\$630.00 Citation Fee-Parking off Pavement-1,230.00 Citation Fee-Parking off Pavement-\$1,230.00	Affirm Assessment-\$3,090.00
12-11V	Larisa Pokhilchuk 11734 Jonquil Street NW 09-31-24-33-0057	Citation Fee-Parking off Pavement-\$300.00 Citation Fee-Blvd. Encroachments-\$300.00 Citation Fee-Parking off Pavement-\$300.00 Citation Fee-Blvd. Encroachments-\$300.00	Affirm Assessments-\$1,200.00 Paid off on 3/7/12

12-12V	Thomas Durkin 11106 Hanson Blvd. NW 15-31-24-31-0009	Citation Fee-No Garbage Service-\$630.00 Citation Fee-Removal & Disposal -\$330.00 Citation Fee-Parking off Pavement-\$330.00	Affirm Assessments-\$1,290.00.
12-13V	Jeanann & Kimmarie Hagen 2441 112th Lane NW 16-31-24-41-0098	Citation Fee-Removal & Disposal-\$330.00 Citation Fee-Expired Tabs-\$330.00	Affirm Assessments-\$660.00
12-14V	Mayli Vang 1093 94th Lane NW 26-31-24-43-0040	Citation Fee-Removal & Disposal-\$330.00 Removal & Disposal-\$361.00	Affirm Assessments-\$691.00
12-15V	Jolly Kemet 422 109th Avenue NW 24-31-24-21-0063	Citation Fee-Removal & Disposal-\$630.00 Removal & Disposal-\$1,016.00 Citation Fee-Expired Tabs-\$330.00	Affirm Assessment-\$1,976.00
12-16V	Carly Hanson 10521 Palm Street NW 23-31-24-41-0054	Citation Fee-Removal & Disposal-\$330.00 Removal & Disposal-\$418.50	Affirm Assessment-\$748.50
N/A	David Shimota 2372 123rd Circle NW 09-31-24-11-0025	Citation Fee-Removal & Disposal-\$330.00 Citation Fee-Removal & Disposal-\$630.00	Appeal invalid-appeal submitted too late \$960.00 to be assessed
N/A	Al Assedy Nasir 761 124th Lane NW 12-31-24-22-0075	Citation Fee-Mowing/Weed-\$180.00	Appeal invalid-renter (not owner) submitted appeal \$180.00 to be assessed

Please refer to previously received Board packets for appeal letters. **The Board agenda for March 1, was sent to Council separately on February 24. If you need information concerning that agenda, please contact Cathy Sorensen.** The attached resolution reflects the dollar amount based on the above appeals. An assessment fee of \$30.00 has been included in the totals in the Resolution.

ALIGNMENT WITH STRATEGIC VISION

This item relates the to City's **Housing/Neighborhoods** section of the long term strategic vision by providing neighborhoods that are stable, safe and connected with predominately owner occupied and well maintained life cycle housing.

RECOMMENDATION

The Board of Adjustment and Appeals recommends that the Council:

- a. Adopt Resolution 12-46 adopting 2012(1B) Miscellaneous Special Assessments (contested miscellaneous assessments-one year).
- b. Adopt Resolution 12-47 adopting 2012(1B) Miscellaneous Special Assessments (contested miscellaneous assessments-three year).

Attachments

Contested Misc. 2012(1B) 1 Year Assessments

Contested Misc. 2012(1B) 3 Year Assessments

Board of Adj. & Appeals Minutes-3/1/12

RESOLUTION NO. 12-46

**RESOLUTION ADOPTING 2012 (1B) CONTESTED MISCELLANEOUS ASSESSMENTS
(ONE YEAR)**

WHEREAS, pursuant to property notice duly given as required by law, the City Council has met and heard and passed upon all objections to the proposed assessment for the nonpayment of invoices; and

WHEREAS, this declaration is made pursuant to Section 1.103-18 of the Income Tax Regulations of the Internal Revenue Service.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Coon Rapids, Minnesota that

1. Such proposed assessment, a copy of which is attached hereto and made a part thereof, is hereby accepted and shall constitute the special assessment against the lands named therein, and each tract of land therein included is hereby found to be benefited by the proposed improvement in the amount of the assessment levied against it.

2. Such assessment shall become payable in one annual installment, commencing with the first Monday in January 2013, and shall bear interest at the rate of 1.25% per annum from the date of the adoption of this assessment resolution. To the installment shall be added interest on the entire assessment from the date of this resolution until December 31, 2013. The total amount of the one-year assessment is \$6,260.50.

3. The owner of any property so assessed may, at any time prior to certification of the assessment to the Director of the Anoka County Records and Taxation Division (but no later than November 14, 2012), pay the whole of the assessment on such property, with interest accrued to the date of payment, to the City Treasurer, except that no interest shall be charged if the entire assessment is paid within thirty (30) days from the adoption of this resolution. He/she may, at any time thereafter, pay to the City Treasurer the entire amount of the assessment remaining unpaid, with interest accrued through the date of payment. However, such payment must be made no later than November 14, 2012 or interest will be charged through December 31 of the next succeeding year.

4. The Clerk shall forthwith transmit a certified duplicate of this assessment to the County Property Records and Taxation Division to be extended on the proper tax lists of the County, and such assessments shall be collected and paid over in the same manner as other municipal taxes.

Adopted by the Coon Rapids City Council this 20th day of March 2012.

Tim Howe, Mayor

ATTEST:

Catherine M. Sorensen, City Clerk

RESOLUTION NO. 12-47

**RESOLUTION ADOPTING 2012 (1B) CONTESTED MISCELLANEOUS ASSESSMENTS
(THREE YEAR)**

WHEREAS, pursuant to property notice duly given as required by law, the City Council has met and heard and passed upon all objections to the proposed assessment for the nonpayment of invoices; and

WHEREAS, this declaration is made pursuant to Section 1.103-18 of the Income Tax Regulations of the Internal Revenue Service.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Coon Rapids, Minnesota that

1. Such proposed assessment, a copy of which is attached hereto and made a part thereof, is hereby accepted and shall constitute the special assessment against the lands named therein, and each tract of land therein included is hereby found to be benefited by the proposed improvement in the amount of the assessment levied against it.

2. Such assessment shall become payable in one annual installment, commencing with the first Monday in January 2013, and shall bear interest at the rate of 1.80% per annum from the date of the adoption of this assessment resolution. To the installment shall be added interest on the entire assessment from the date of this resolution until December 31, 2013. The total amount of the three-year assessment is \$9,739.50.

3. The owner of any property so assessed may, at any time prior to certification of the assessment to the Director of the Anoka County Records and Taxation Division (but no later than November 14, 2012), pay the whole of the assessment on such property, with interest accrued to the date of payment, to the City Treasurer, except that no interest shall be charged if the entire assessment is paid within thirty (30) days from the adoption of this resolution. He/she may, at any time thereafter, pay to the City Treasurer the entire amount of the assessment remaining unpaid, with interest accrued through the date of payment. However, such payment must be made no later than November 14, 2012 or interest will be charged through December 31 of the next succeeding year.

4. The Clerk shall forthwith transmit a certified duplicate of this assessment to the County Property Records and Taxation Division to be extended on the proper tax lists of the County, and such assessments shall be collected and paid over in the same manner as other municipal taxes.

Adopted by the Coon Rapids City Council this 20th day of March 2012.

Tim Howe, Mayor

ATTEST:

Catherine M. Sorensen, City Clerk

COON RAPIDS BOARD OF ADJUSTMENT AND APPEALS MEETING MINUTES OF MARCH 1, 2012

The regular meeting of the Coon Rapids Board of Adjustment and Appeals was called to order by Chairman Wessling at 6:30 p.m. on Thursday, March 1, 2012, in the Council Chambers.

Members Present: Chairman Gary Wessling, Commissioners Jeanette Rosand, Teri Spano-Madden, Trish Thorup and Aaron Vande Linde.

Members Absent: None.

Staff Present: Housing and Zoning Coordinator Cheryl Bennett, Assistant City Attorney David Brodie, Neighborhood Coordinator Kristin DeGrande, and Patrol Officer Steve Beberg.

CALL TO ORDER

Chairman Wessling called the meeting to order at 6:30 p.m.

APPROVAL OF THE MARCH 1, 2012, AGENDA.

MOTION BY COMMISSIONER ROSAND, SECOND BY COMMISSIONER THORUP, TO APPROVE THE MARCH 1, 2012, AGENDA AS SUBMITTED. THE MOTION PASSED UNANIMOUSLY.

APPROVAL OF THE FEBRUARY 2, 2012, MEETING MINUTES.

MOTION BY COMMISSIONER SPANO-MADDEN, SECOND BY COMMISSIONER ROSAND, TO APPROVE THE FEBRUARY 2, 2012, MEETING MINUTES AS PRESENTED. THE MOTION PASSED UNANIMOUSLY.

Assistant City Attorney Brodie reviewed the guidelines for the Board of Adjustments and Appeals established for the purpose of hearing objections to special assessments. He noted that the guidelines are intended to make the hearings meaningful and to allow for the meeting to be completed in a timely manner. After reviewing an objection, the Board will make a recommendation to City Council. This recommendation will affirm, modify or rescind the proposed assessment. He reviewed that the process is to first hear information from city staff and then hear from the property owner after which the Board will discuss the matter and make a decision. He commented that tonight's meeting is to hear objections to the special assessment and is not an appeal to the underlying citation. He reviewed that the Board has reviewed the written objections. He commented that a five minute time limit has been established for presenting each case.

1. **CASE 12-05V – DEREK GLOWACKI (POA FOR DONALD GLOWACKI) – 10024 COTTONWOOD STREET – SPECIAL ASSESSMENT OBJECTION (Agenda Item 3)**

Chairman Wessling asked for staff comments. Neighborhood Coordinator DeGrande stated the special assessment is an administrative citation for long grass and the cost of mowing. She stated that the administrative citation was posted on the property and a copy sent to the same address, which she noted was the property owner's address on file at Anoka County. It was

returned as undeliverable. She acknowledged that Mr. Glowacki does not reside at this address any longer.

Derek Glowacki, 19255 Landers Street, Elk River, stated he has power of attorney for his father and is objecting to the special assessment. He stated that he spoke with a neighbor to this property and learned that someone had mowed the lawn. He also stated that he spoke to the city and found out that there was a citation. He stated that when he visited his father's property there was no mail present and there was no posting on the door. He stated he pays the utility bills that come to his address taken from the city's database. He explained that his father is not living at the house now and that he has cared for the property for two years while his father is living at Guardian Angels in Elk River. He stated that although the citation says the grass was 10 inches, the picture does not show how long it was. He stated a ruler should be used to show this. He noted he was not warned and did not know until afterward that there was a concern about the grass. He stated that if notification had been received by mail, he could have followed through.

Commissioner Spano-Madden stated that Mr. Glowacki should have received proper notification before being expected to pay. She noted that the City had Mr. Glowacki's address on file.

Commissioner Rosand stated that Mr. Glowacki has been paying the utility bills and that the bills come to him at his address in Elk River. Mr. Glowacki confirmed that they come to his address in Elk River as he has power of attorney.

Commissioner Rosand noted that the mail was returned and was not forwarded. Neighborhood Coordinator DeGrande stated that law requires they send notice to the property owner listed on the tax records which is why it was sent to the property address. She confirmed that mail sent to the Cottonwood address was returned and that she believed it is no longer forwarded.

Mr. Glowacki confirmed that mail is no longer forwarded.

Commissioner Vande Linde stated that code requires notification be sent to the registered homeowner's address. He commented that the tax statement should be sent to Elk River if the tax records are appropriately updated. He reviewed that the city sent the citation to the property address because that is the address on record. He commented that the utility records are a separate issue. Mr. Glowacki stated he did provide his address for the property taxes and did not know how this was missed.

Chairman Wessling commented that the property was not being properly maintained. He reviewed that staff followed the procedures and did their work correctly. Commissioner Vande Linde stated that the records were not indicating an Elk River address.

Assistant City Attorney Brodie stated that the property owner is sent the notice because the person who pays the taxes is not always who owns the property noting that it could be a mortgage company or the property owner's son. He stated that this has been an issue previously. He noted that staff followed City code in this matter. He stated that vacant property in Coon Rapids needs to be maintained.

Commissioner Spano-Madden noted that the property owner was not notified because the mail was returned to the city. Commissioner Rosand stated that the citation notes that there was a posting and commented that the city requires two methods of contact, which are posting and by mail.

Mr. Glowacki stated that he did not see any posting on the door, garage or anywhere on the property. He stated that he learned of the matter from speaking with a neighbor who confirmed that someone had mowed the grass.

MOTION BY COMMISSIONER ROSAND, SECOND BY COMMISSIONER VANDE LINDE, IN CASE 12-05V, THE BOARD OF ADJUSTMENT AND APPEALS RECOMMENDS THE CITY COUNCIL AFFIRM THE SPECIAL ASSESSMENT OF \$300 IN ITS ENTIRETY.

THE MOTION PASSED 4 – 1 (SPANO-MADDEN).

2. CASE 12-08V – LESLIE PRICE – 1947 108TH LANE NW – SPECIAL ASSESSMENT OBJECTION (Agenda Item 6)

Chairman Wessling asked staff for comments. Neighborhood Coordinator DeGrande reviewed that the administrative citation is for the cleanup of junk and debris. She stated that the violation was abated and explained that the pending assessment included the citation penalty and the cost of cleanup.

Jessie Price stated that he is the brother of Leslie Price, the owner of the property. He explained that his home went into foreclosure and that Leslie and his father helped him obtain this house. He stated that his sister was in Ireland when the citation came to her house. He stated that he had pulled permits for construction on the property. He reviewed that construction is messy and that sheetrock and ceiling tiles were on the driveway for some time. He recalled that these items were cleaned up from the driveway before the reinspection. He stated he was not aware of the citation because it was addressed to his sister and she was in Ireland. He commented that there were windows leaned up against the garage wall. He stated that he was waiting for the Realtor to remove the lockbox from the front door. He stated that items in the back yard were aluminum intended to be recycled which he kept out of view. He stated the windows were being kept for use in his girlfriend's greenhouse in the spring. He stated nothing was posted on the front door, which he would have seen during his daily visits to the property to work on it.

Commissioner Rosand asked if the pictures reflect a majority of what was there or if he had removed much of the items on the 13th. Mr. Price stated that the pictures show most of what was there. He explained that there were some buckets in the back used for moving dirt and rock around for landscaping. He stated from the back of the yard, it is half a block to Hanson Boulevard. The items were not visible from that distance.

Chairman Wessling asked about the carpeting and padding. Mr. Price stated that new carpet was being installed. The carpet layer did not pick these up when he left.

Commissioner Rosand confirmed that the city is not required to post the property but only mail out a notice. Neighborhood Coordinator DeGrande clarified that properties are posted and a citation is mailed for long but that for junk and debris, a citation is only mailed directly to the property owner.

Chairman Wessling stated that staff had done their job. He explained that items had been left out for some time. Mr. Price stated that construction permits had been pulled. He asked about items that were taken and that are not garbage and debris.

Neighborhood Coordinator DeGrande asked what property he was referring to. Mr. Price stated that there were windows, a bucket and trim to be used on the outside windows. He asked if a construction site, with permits pulled, would still be considered a violation.

Neighborhood Coordinator DeGrande stated that by city policy, if there is an open permit for construction, the materials can stay there but exterior storage in the yard cannot stay there indefinitely. She stated that the items would need to be contained in a dumpster when there are open permits by code.

MOTION BY COMMISSIONER VANDE LINDE, SECOND BY COMMISSIONER ROSAND, IN CASE 12-08V, THE BOARD OF ADJUSTMENT AND APPEALS RECOMMENDS THE CITY COUNCIL AFFIRM THE SPECIAL ASSESSMENT OF \$683.50 IN ITS ENTIRETY.

THE MOTION PASSED UNANIMOUSLY.

3. CASE 12-09V – JON SMOLUCH – 10522 FOLEY BOULEVARD – SPECIAL ASSESSMENT OBJECTION (Agenda Item 7)

Chairman Wessling asked staff for comments. Neighborhood Coordinator DeGrande stated that the pending assessment is for a variety of items such as expired vehicle tabs, junk and debris stored exteriorly and their cleanup, and lack of garbage service at the property. She stated that there is an excessive consumption fee for having to visit the property more than once in a 12-month period for the same reason.

Chairman Wessling asked about the fees as there are two amounts shown. Housing and Zoning Coordinator Bennett clarified that of the two figures listed, one represents the assessment amount if paid by the date the roll goes before Council for adoption and the second one includes an administrative assessment fee. She stated that the assessment amount should be that one included in the case report—the one without the administrative fee. She confirmed that it is \$2,873.50 in this case.

Mr. Jon Smoluch, 9741 Foley Blvd, Coon Rapids, stated that this is rental property. He reviewed that the property has cost him a lot more beyond this fine. He stated that he would have the renters clean up the property but then they would make another mess with new items. He stated that the renters told him they would sue him if he touched their car. He stated that the renters stopped making rent payments. He agreed that he could have towed their car or cleaned up their items but then he would have been sued for their values. He stated that he was evicting

the renters and had written to city staff asking for their patience but instead continued to accumulate fines. He stated that it was out of his control to make the renters act responsibly. He stated that it took a month to get the house back in order as the renters tore off countertops and destroyed kitchen appliances. He asked for tolerance and forgiveness. He added that the property has been cleaned up and is being shown to new renters.

Commissioner Vande Linde asked when the renters were evicted. Mr. Smoluch stated they were evicted on January 23 with the sheriff's involvement. He noted that he moved as quickly as possible to rectify things.

Commissioner Vande Linde asked when the unlawful detainer complaint was filed. Mr. Smoluch stated that it was entered on December 16. He stated that he was speaking with Adam at the city. He told staff that he was evicting the renters and explained what was happening.

Commissioner Rosand asked how long the renters lived at the property. Mr. Smoluch stated that they lived there for four months. He required that they obtain garbage service which they did but that they did not pay for this service. He stated that this was the apparent reason the garbage service was stopped.

Chairman Wessling asked what Mr. Smoluch will do to prevent this in the future. Mr. Smoluch stated that he will pay for garbage service himself which will help considerably.

Commissioner Thorup asked if he has considered getting references for the renters from previous landlords. Mr. Smoluch stated that the people were from out of state and had lived with a relative who he believes would provide a good reference. He stated they had good credit when they applied.

Commissioner Rosand commented that these circumstances are risks of having renters. She stated that the owner is responsible for the property. She commented that the city did their work as they are supposed to do.

Commissioner Vande Linde stated that Mr. Smoluch cannot tow someone else's personal property and he was under the threat of being sued. He commented that it is not known who the car was registered to. He suggested taking money off to account for this. He recommended keeping the one citation.

Commissioner Vande Linde stated the summary shows three administration fees and asked for clarification. Assistant City Attorney Brodie stated that the difference may be that half of the last fine was forgiven as the property came into compliance and that this explains why there are different fees listed. He stated that the code was changed a few years ago to make the landlord responsible for the property. He reviewed that the landlord has the option of recourse and can sue his tenants.

Housing and Zoning Coordinator Bennett confirmed that \$2873.50 is the amount that will go before Council. She stated that if it is paid before it goes to Council, the administrative fees will not be included.

MOTION BY COMMISSIONER THORUP, SECOND BY COMMISSIONER ROSAND, IN CASE 12-09V, THE BOARD OF ADJUSTMENT AND APPEALS RECOMMENDS THE CITY COUNCIL AFFIRM THE SPECIAL ASSESSMENT OF \$2,873.50 IN ITS ENTIRETY.

THE MOTION PASSED UNANIMOUSLY.

4. CASE 12-11V – LARISA POKHILCHUK – 11734 JONQUIL STREET – SPECIAL ASSESSMENT OBJECTION (Agenda Item 9)

Chairman Wessling asked for staff comment. Neighborhood Coordinator DeGrande stated that the citations are for parking off pavement and boulevard encroachments. She reviewed the background noting the total fees were reduced because the property owner came into compliance.

Larisa Pokhilchuk, 11738 Jonquil Street NW, stated she is the owner of this rental property. She stated that the trailer was off the pavement. She stated that 4-1/2 years ago Adam was the inspector regarding this same issue. She commented that at that time they put rocks and bricks under the wheels, and when Adam reinspected they were told this arrangement was acceptable as long as the bricks were under the wheels of the trailer. She stated that when this letter came, her husband added more bricks around the trailer so they would be visible from the street. She stated that when the letter came, it went to her rental property where five children live and it was misplaced. The letter was given to her weeks later. She stated regarding the basketball hoop that she never saw the letter. She explained that when the second letter came, they removed the hoop. She explained that she lives at 11738 Jonquil and that 11734 is the rental property next door. She stated that when Adam came the second time, her husband was home and spoke with Adam. She stated that Adam told them the trailer was okay.

Neighborhood Coordinator DeGrande stated that there is a new database since 2008, and the records now show the owner and tax payer address is 11734 Jonquil. She stated that the rocks are not compliant but that bricks are. Ms. Pokhilchuk stated that the bricks were under the trailer wheels and not visible from the street. Neighborhood Coordinator DeGrande stated that the rocks are not in compliance and that the bricks need to be under the entire trailer. Mr. Pokhilchuk addressed the Board and stated that he put the bricks under each tire and that Adam inspected this. He stated that the bricks are not visible from the street and are not visible in the picture. He explained that the picture was taken from the street.

MOTION BY COMMISSIONER VANDE LINDE, SECOND BY COMMISSIONER SPANO-MADDEN, IN CASE 12-11V, THE BOARD OF ADJUSTMENT AND APPEALS RECOMMENDS THE CITY COUNCIL AFFIRM THE SPECIAL ASSESSMENT OF \$1,200 IN ITS ENTIRETY.

THE MOTION PASSED UNANIMOUSLY.

Chair Wessling confirmed for the appellant that staff's recommendation was affirmed.

5. CASE 12-14V – MAYLI VANG – 1093 94TH LANE NW – SPECIAL ASSESSMENT OBJECTION (Agenda Item 10)

Chairman Wessling asked for staff comments. Neighborhood Coordinator DeGrande reviewed the background and addressed items listed in the property owner's objection. She stated that the property owner noted in her objection that some items were not removed. She explained that some items are not removed as they are allowed to be stored outside such as lawnmowers, a grill, and a patio set. She stated that an unopened bag of leaves is not something that the City will remove. She stated that the City did not clean up undamaged flower pots or garden stakes.

Mayli Vang, 1093 94th Lane NW, stated she had a new neighbor move in after she had been living in the community for ten years. She stated that this neighbor has complained about her continuously and yells at her kids whenever they are outside. She stated that she is harassed by this neighbor. She stated that some of these items have been on the property for ten years. She stated that the only thing present in the front yard was related to her changing oil recently. She stated that the other items were in the back yard. She stated she does not feel safe where she lives due to this neighbor. She stated she does not have a junk house and that her property is not junk. She stated that she loves the neighborhood. She stated that when she received the January letter, she called the city right away. She stated that she did not receive a letter in September. She asked if the assessment could be reduced or waived.

Chairman Wessling asked for confirmation that Ms. Vang did not receive the September letter. Ms. Vang stated that her sister lived at the property and that maybe her kids took the letter but she never saw it. She received the January letter that said she would be assessed.

Commissioner Rosand asked if Ms. Vang noticed that some items were missing. Ms. Vang stated that she thought her husband had taken the items or that her sister had. She commented that not all of the items were taken so she did not notice it.

Commissioner Thorup stated that on September 16 the items were taken. She stated there was a question in October of whether the property was vacant. Neighborhood Coordinator DeGrande stated that the property was being fixed up and items were removed, but that the property owner continued to reside there. She confirmed that the inspector was initially at the property on September 1.

Chairman Wessling stated that the property was reinspected on September 16 and abated on September 16. He asked about the fees. Neighborhood Coordinator DeGrande reviewed the initial citation and cleanup fee add up to \$631.

Chairman Wessling stated that communication with the property owner in October and November did not relate to the citation. Neighborhood Coordinator DeGrande confirmed that in October staff investigated to see if the property was vacant. The City posted the property to shut off the water and the homeowner contacted the city to confirm that the water was to be kept on. She indicated that although no one lived at the property at the time they were actively working on it and planned to move back in. She added that the contact from the city inspector was to verify that the property was not an unlicensed rental and it was confirmed that the property was not a rental property.

Ms. Vang stated that in September she was having family issues. She eventually got money to replace the carpet and moved her things out while this was being done.

Commissioner Rosand asked about a fee that related to a question of unlicensed rental, which was the result of inquiries by a neighbor and code enforcement staff. Neighborhood Coordinator DeGrande confirmed that it was not an unlicensed rental property.

Commissioner Vande Linde stated that the homeowner is responsible for her property. Commissioner Spano-Madden stated that she has difficulty with the case because the homeowner did not receive notification and the rules are that they should receive it.

MOTION BY COMMISSIONER THORUP, SECOND BY COMMISSIONER VANDE LINDE, IN CASE 12-14V, THE BOARD OF ADJUSTMENT AND APPEALS RECOMMENDS THE CITY COUNCIL AFFIRM THE SPECIAL ASSESSMENT OF \$631 IN ITS ENTIRETY.

THE MOTION PASSED UNANIMOUSLY.

Commissioner Thorup asked whether the city could promote the use of storage sheds that do not require a permit. She recommended that this be included in the upcoming city newsletter to prevent the accumulation of items kept in yards, which leads to citations.

Chairman Wessling asked the name of parties waiting to be heard. Mr. Shimota replied. It was noted that Mr. Shimota's objection was not on this agenda.

Housing and Zoning Coordinator Bennett explained that Mr. Shimota's objection to the proposed assessment was not received by the city clerk prior to or at the February 8 City Council hearing as required, and that it was not received by staff until February 9. She stated that her office sent a letter to Mr. Shimota explaining why his objection was not accepted and why it would not be included on this agenda. In response to Mr. Shimota's question, Ms. Bennett stated that it had been mailed to him the previous Friday. Mr. Shimota stated he had been out of town.

Chairman Wessling explained that Mr. Shimota's case would not be heard tonight.

Chairman Wessling recessed the meeting at 8:00 p.m.

Chairman Wessling reconvened the meeting at 8:12 p.m.

6. CASE 12-03V – BRUCE NELSON – 2961 121ST AVENUE NW – SPECIAL ASSESSMENT OBJECTION (Agenda Item 1)

Chairman Wessling reviewed the background on the case. He stated that staff did what was necessary. Commissioner Rosand commented that it was an unlicensed rental property.

MOTION BY COMMISSIONER ROSAND, SECOND BY COMMISSIONER SPANO-MADDEN, IN CASE 12-03V, THE BOARD OF ADJUSTMENT AND APPEALS

RECOMMENDS THE CITY COUNCIL AFFIRM THE SPECIAL ASSESSMENT OF \$1,500 IN ITS ENTIRETY.

THE MOTION PASSED UNANIMOUSLY.

7. CASE 12-03V – GERALD PATT – 2121 109TH AVENUE NW – SPECIAL ASSESSMENT OBJECTION (Agenda Item 2)

Chairman Wessling reviewed the background on the case. He commented that a friend of the property owner moved out but did not clean up the property.

Commissioner Rosand stated that the property is the responsibility of the property owner.

MOTION BY COMMISSIONER THORUP, SECOND BY COMMISSIONER SPANO-MADDEN, IN CASE 12-04V, THE BOARD OF ADJUSTMENT AND APPEALS RECOMMENDS THE CITY COUNCIL AFFIRM THE SPECIAL ASSESSMENT OF \$741 IN ITS ENTIRETY.

Commissioner Thorup stated that there is a discrepancy in the amount stated in her motion. She stated the amount should be \$681.

MOTION BY COMMISSIONER VANDE LINDE, SECOND BY COMMISSIONER ROSAND, TO AMEND THE MOTION TO INDICATE A SPECIAL ASSESMENT AMOUNT OF \$681.

THE MOTION TO AMEND PASSED UNANIMOUSLY.

THE MOTION AS AMENDED PASSED UNANIMOUSLY.

8. CASE 12-06V (Agenda Item 4)

It was noted that this case number is not assigned.

9. CASE 12-07V – BARBARA CURRY BY DAVID CURRY – 2190 COON RAPIDS BOULEVARD – SPECIAL ASSESSMENT OBJECTION (Agenda Item 5)

Chairman Wessling reviewed the background on the case.

MOTION BY COMMISSIONER ROSAND, SECOND BY COMMISSIONER THORUP, IN CASE 12-07V, THE BOARD OF ADJUSTMENT AND APPEALS RECOMMENDS THE CITY COUNCIL AFFIRM THE SPECIAL ASSESSMENT OF \$600 IN ITS ENTIRETY.

THE MOTION PASSED UNANIMOUSLY.

10. CASE 12-10V – DERREK RAND ABENDROTH – 10640 ARROWHEAD STREET – SPECIAL ASSESSMENT OBJECTION (Agenda Item 8)

Chairman Wessling reviewed the background on the case. He asked if the parking was compliant. Neighborhood Coordinator DeGrande confirmed that the property was compliant on October 11.

MOTION BY COMMISSIONER THORUP, SECOND BY COMMISSIONER VANDE LINDE, IN CASE 12-10V, THE BOARD OF ADJUSTMENT AND APPEALS RECOMMENDS THE CITY COUNCIL AFFIRM THE SPECIAL ASSESSMENT OF \$3,000 IN ITS ENTIRETY.

THE MOTION PASSED UNANIMOUSLY.

11. CASE 12-12V – THOMAS DURKIN – 11106 HANSON BOULEVARD – SPECIAL ASSESSMENT OBJECTION (Agenda Item 12)

Chairman Wessling reviewed the background on the case. He asked whether the property is now in compliance. Neighborhood Coordinator DeGrande stated that as of November 7, the property is in compliance. She stated it is a rental property.

MOTION BY COMMISSIONER VANDE LINDE, SECOND BY COMMISSIONER ROSAND, IN CASE 12-12V, THE BOARD OF ADJUSTMENT AND APPEALS RECOMMENDS THE CITY COUNCIL AFFIRM THE SPECIAL ASSESSMENT OF \$1,200 IN ITS ENTIRETY.

THE MOTION PASSED UNANIMOUSLY.

12. CASE 12-13V – KIMMARIE HAGEN – 2441 112TH LANE NW – SPECIAL ASSESSMENT OBJECTION (Agenda Item 13)

Chairman Wessling reviewed the background on the case. He asked staff for clarification regarding the petitioner's written objection in which she states that she did not receive any citation in October. Neighborhood Coordinator DeGrande commented that in her December discussion with Ms. Hagen about the pending assessments, staff confirmed that both citations were sent. She stated that Ms. Hagen thought there was an error on the city's part because she did not receive the October notification when, in fact, both citations had been sent.

Commissioner Rosand asked about the items that were not removed. Neighborhood Coordinator DeGrande stated that with the size of the yard and the number of items, it would be difficult to abate the property. She stated that they would have needed to bring a vehicle back onto the property. She explained that they sent a second notice instead of following through with the abatement in an effort to give the property owner time to comply.

MOTION BY COMMISSIONER ROSAND, SECOND BY COMMISSIONER THORUP, IN CASE 12-13V, THE BOARD OF ADJUSTMENT AND APPEALS RECOMMENDS THE CITY COUNCIL AFFIRM THE SPECIAL ASSESSMENT OF \$600 IN ITS ENTIRETY.

THE MOTION PASSED UNANIMOUSLY.

13. CASE 12-15V – KEMET JOLLY – 422 109TH AVENUE NW – SPECIAL ASSESSMENT OBJECTION (Agenda Item 11)

Chairman Wessling reviewed the background on the case. He noted that the homeowner was on vacation. Neighborhood Coordinator DeGrande stated that they received notice from Connexus on October 17 and Center Point Energy on October 6 that service was disconnected. She reviewed that in June there was a sheriff's sale. She stated that they received notification to shut off the water on November 8. She explained that following these disconnect dates, and after not hearing from the property owner, it was assumed that the property was vacant. She stated the written objection states the homeowner was just on vacation. She stated that they abated several items as the property was thought to be abandoned.

MOTION BY COMMISSIONER VANDE LINDE, SECOND BY COMMISSIONER SPANO-MADDEN, IN CASE 12-15V, THE BOARD OF ADJUSTMENT AND APPEALS RECOMMENDS THE CITY COUNCIL AFFIRM THE SPECIAL ASSESSMENT OF \$1,886 IN ITS ENTIRETY.

THE MOTION PASSED UNANIMOUSLY.

14. CASE 12-16V – CARLY HANSON – 10521 PALM STREET – SPECIAL ASSESSMENT OBJECTION (Agenda Item 14)

Chairman Wessling reviewed the background on the case.

Commissioner Rosand questioned the 3-1/2 hours it took to abate the property. Neighborhood Coordinator DeGrande stated that this includes the travel time to dispose of the items.

MOTION BY COMMISSIONER ROSAND, SECOND BY COMMISSIONER VANDE LINDE, IN CASE 12-16V, THE BOARD OF ADJUSTMENT AND APPEALS RECOMMENDS THE CITY COUNCIL AFFIRM THE SPECIAL ASSESSMENT OF \$688.50 IN ITS ENTIRETY.

THE MOTION PASSED UNANIMOUSLY.

15. ADJOURNMENT

MOTION BY COMMISSIONER SPANO-MADDEN, SECOND BY COMMISSIONER THORUP, TO ADJOURN THE MEETING AT 8:45 P.M. THE MOTION PASSED UNANIMOUSLY.

Respectfully submitted,

Beth Bostrom

Board of Adjustment and Appeals Secretary



City Council Regular

10.

Meeting Date: 03/20/2012

Subject: Consider Approval of the East River Road Corridor Study

From: Marc Nevinski, Community
Development Director

INTRODUCTION

Council is asked to consider approval of the East River Road Corridor Study. Representatives from Kimley-Horn will provide a short presentation.

DISCUSSION

Over the past year, staff, along with Councilmembers Johnson and Schulte, have worked with the Anoka County Highway Department and the City of Fridley on a corridor study of East River Road. The study's scope ranged from Highway 610 in Coon Rapids south to Interstate 1-694 in Fridley. The issues considered were similar to the issues considered in the Coon Rapids Boulevard corridor study in 2009-2010, which generally reviewed the corridor capacity, safety and access, and appearance. The study will set the foundation for the future funding, reconstruction, and upgrade of East River Road. It also provides a basis for the cities along the corridor to make both policy and capital investment decisions.

The general conclusions of the study are:

- Residents along the corridor value its residential character and do not wish to see it change.
- East River Road will not be widened, although there may be impacts to certain blocks or properties.
- Limiting access to the corridor according to county spacing guidelines will increase safety and traffic flow. However, this will change traffic patterns within neighborhoods.
- The study establishes a "visual quality" plan for the corridor to enhance its appearance.

Few issues exist along the Coon Rapids section of East River Road, and impacts will be minimal. The most notable impacts will be a conversion of full access to "three-quarters" access at 84th Lane and Larch Streets, which primarily impacts the neighborhood in the southeast quadrant of East River Road and 85th Ave. Drivers northbound on East River Road will have right-in/right-out access from these streets, and drivers southbound on East River Road will be able to make a left hand turn into the neighborhood. However, drivers wishing to travel southbound on East River Road from the neighborhood will need to proceed to 85th Avenue and out to the stoplight.

The study also suggests extending Palm Street north, through Kennedy Park, to align with 85th Avenue. Some evaluation of this proposal should occur with the Parks Plan update. Similarly, the study suggested that 85th Lane be redirected south to 85th Ave. The City owns right-of-way in the neighborhood, making this recommendation relatively feasible. A median at 87th Lane was opposed by the neighborhood and the study recommends monitoring the data for this intersection. Finally, the extension of a pathway along 85th Avenue from East River Road to Springbrook Nature Center was repeatedly brought up by residents at meetings and open houses. The City of Coon Rapids' most recent grant application to the DNR to fund a trail extension was denied, but the City will, with reasonable confidence of success, resubmit the application later this year.

Finally, it is important to know that the time horizon for the implementation of this study's recommendations is

approximately ten to fifteen years. Improvements will occur incrementally, and will be funded mainly by federal dollars. Improvements may be small, such as closing a particular median, or large, such as the reconstruction of several miles of roadway.

ALIGNMENT WITH STRATEGIC VISION

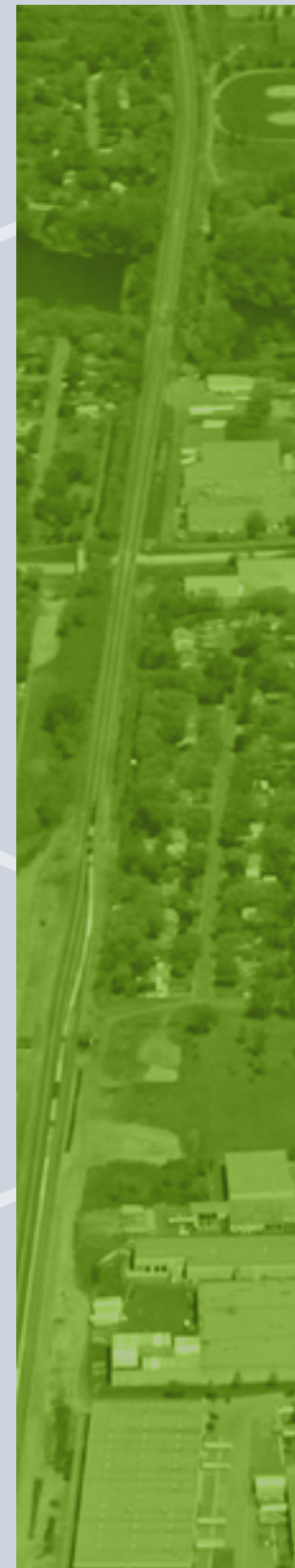
This item relates to the Transportation section of the 2030 Strategic Vision by identifying future needs and associated goals for an important transportation corridor.

RECOMMENDATION

Staff recommends Council approve the East River Road Corridor Study.

Attachments

ERR Cdr Study



Executive Summary

Executive Summary

Introduction

East River Road is a vital transportation link for the Cities of Fridley and Coon Rapids and for Anoka County, Minnesota. The road serves many stakeholders in the region, providing local access for residents and businesses as well as commuters and pass-through traffic from surrounding communities. As those surrounding communities continue to grow, there will be additional travel demand placed on the East River Road. The Fridley and Coon Rapids 2030 Comprehensive Plans and Anoka County’s 2030 Transportation Plan all forecast increased traffic pressure on this corridor in the next 20 years and identify the need for short-term and long-term transportation improvements. To plan for the future of the East River Road corridor, Anoka County, Fridley, and Coon Rapids initiated the East River Road (CSAH 1) Corridor Study.

Anoka County’s primary objective for the study was to identify concepts for improving safety and mobility on East River Road while also considering improvements to enhance its appearance and economic vitality. The study area is the 5.1-mile segment of East River Road between Interstate 694 (I-694) in Fridley and Trunk Highway 610 (TH 610) in Coon Rapids. The study area also includes the area between the Mississippi River and University Avenue so as to also consider east-west connections and connectivity. (See **Exhibit ES-1**)

The study followed a multi-step planning process to identify deficiencies and needs and develop solutions. Initial steps in the process were the identification of existing conditions and development of traffic forecasts for the planning horizon year

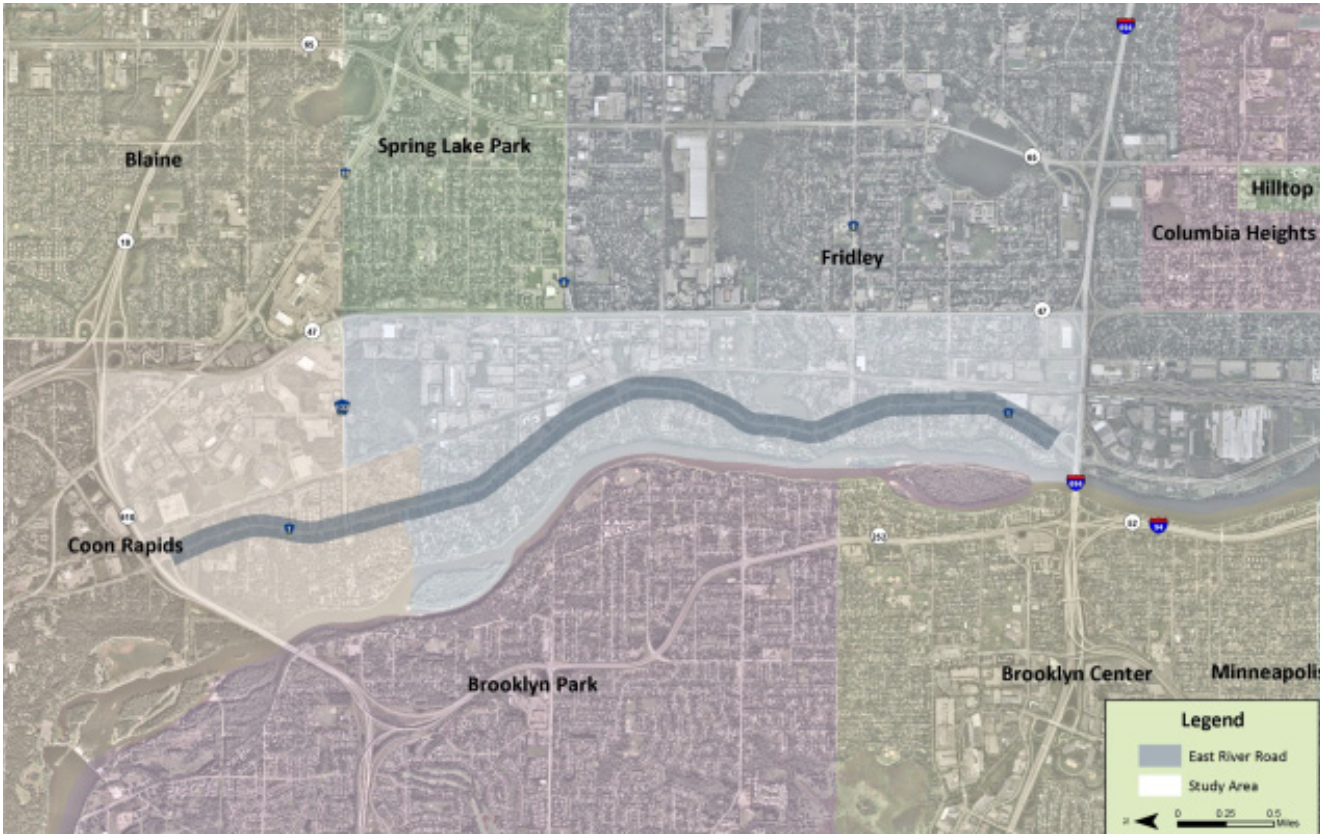


Exhibit ES-1. Study Area

of 2030. This data was analyzed and used to develop and screen alternatives. From here, recommendations were developed to address identified safety and mobility needs. Because Anoka County does not anticipate reconstruction of the corridor to occur at one time, the identified concepts will be implemented over time as funding allows.

The planning process was conducted in concert with an inclusive stakeholder outreach and engagement program that involved public agencies, residents, businesses, and others with a stake in the future of the corridor. Engagement was accomplished through meetings of a Technical Advisory Committee (TAC) and a Public Advisory Committee (PAC), as well as through public open houses, neighborhood meetings, and other stakeholder meetings. Project information also was posted on the County web site. The first step in the corridor study was to develop a corridor vision through a collaborative effort with the public. Members of the public were asked a series of questions regarding the corridor today and what it could be in the future. From their responses, the TAC prepared a vision statement which was then shared with the PAC and the general public for review and comment.

East River Road Vision Statement

The cities of Fridley and Coon Rapids, with Anoka County, will develop a safe and visually appealing corridor, one that embraces the residential feel and natural environment in the area, and provides for effective pedestrian, bicycle, and transit connections.

The study also included close coordination with the Anoka County Statewide Health Improvement Program (SHIP), which strives to help Anoka County residents lead longer, healthier lives by preventing the chronic disease risk factors of tobacco use and exposure, poor nutrition and physical inactivity, and discontinuities in the sidewalk and pathway networks which limit the ability to lead active lifestyles.

Existing Conditions

The existing conditions analysis included review of study area demographics, land use, traffic, access, safety, trails and sidewalks, visual quality, and transit service and facilities. It also addressed potential environmental and cultural constraints including vegetation and species, water resources, the Mississippi River and Recreation Area, cultural resources, hazardous materials, environmental justice, noise, and required permits and approvals. Information on traffic, access, safety, trails and sidewalks, and visual quality is summarized here. The other issues are described in the full report.

Traffic

East River Road is a four-lane A Minor arterial roadway with a raised median with turn lane openings, 12-foot travel lanes, curb and gutter stormwater system, and shoulder widths from 7 to 14 feet. Right-of-way varies from a minimum of 80 feet up to a maximum of 200 feet.

Existing traffic data, including volumes, roadway and intersection geometry, turn movement counts, and traffic signal timings were collected and used to create a Synchro/SimTraffic model of the corridor. Simulations were run for both the AM and PM peak hours and the results used to determine the levels of service (LOS) for the facility, segments, and intersections. LOS is a qualitative indication of traffic operations defined in the Highway Capacity Manual in terms of letter grades A through F. LOS A indicates free flow conditions while LOS F represents breakdown conditions with extreme delay, where the traffic volume exceeds the capacity of the roadway or intersection. LOS D or better is generally considered acceptable for peak hours in urban areas.



Corridor visioning meeting

Traffic along East River Road is heavily directional, with most of the vehicles traveling south in the AM peak and north in the PM peak. During the AM peak hour, the corridor overall operates at LOS B both northbound and southbound. Considering the segments individually, each operates at LOS C or better except two segments in the southbound direction. East River Road southbound between 77th Avenue NE and Osborne Road NE (CSAH 8) operates at LOS D, as does the southbound segment between 58th Avenue NE and the I-694 westbound ramps. Average travel speeds are lower in these segments due to the heavier left turn and cross street volumes at the downstream intersections, causing longer delays on East River Road. Also,

because the signals along the corridor are not coordinated, queues can build quickly at downstream intersections as traffic moves southbound through the corridor.

In the PM peak hour, East River Road overall operates at level of service LOS B northbound and LOS A southbound. All segments operate at LOS C or better except the northbound segment between the I-694 north ramps and 58th Avenue NE, which operates at LOS D. Northbound demand is highest in this segment, and the freeway exit ramp merge and short distance between traffic signals keep speeds lower in this segment. All of the intersections studied operate acceptably during both the AM and PM peak hours, with overall LOS D or better.

Lane blocking (through lane queues extending past the entrance to turn lanes) occurred at nearly all intersections during the peak hours. The uncoordinated signal operations along East River Road allows for a platoon of vehicles from one intersection to proceed and add onto the platoon of vehicles already queued at a downstream intersection.

The four hours of turning movement count data were also used to check whether the existing signals are justified at the 10 studied intersections. Based on this limited data, three signals are potential candidates for removal, pending further study.

Access

There are 60 public street intersections, 2 alley connections, and 140 driveway access points along the corridor. Among the public intersections, there are three access types: full access, T-intersection, and right-in/right-out. The different levels of access have implications for safety and the potential for conflicts, with the least restrictive accesses typically also having the greatest potential for conflicts.

Access control is provided in some locations through the use of a raised center median, ranging in width from four feet (when a left turn lane is present) up to 16 feet (the typical width in the absence of turn lanes). Two separate frontage roads, adjacent to the east side of the road, provide local access to locations between 79th Way NE and Liberty Street NE and between Larch Street NW and 84th Lane NW.

Safety

Review of the most recent available 5-year crash data (2004-2008) showed there were 154 crashes reported in the East River Road corridor for the period, one of which was fatal. Crashes were analyzed based on type, age of driver, injury, lighting, location, road surface condition, time, weather, and year. The number of observed crashes on the corridor is well below the state average for similar roadway segments and intersections. The crash rate at one intersection is approaching

the “critical” threshold at which the rate exceeds the average crash rate at a statistically significant level. This intersection is recommended for further monitoring.

Trails and Sidewalks

Trails and sidewalks on East River Road are inconsistent with respect to continuity, width, condition, and navigational aids. The primary trail facility in the corridor is the Anoka County Mississippi River Regional Trail, which is part of the 10-state Mississippi River Trail. Over the length of the corridor, this regional facility is a mixture of trails, multi-use pathways, and local streets. Sidewalk coverage is intermittent; only one segment in the northern portion of the corridor has sidewalks on both sides. In the southern portion of the corridor, sidewalk coverage varies depending on location. Overall, the 5.1-mile segment of East River Road includes approximately 0.9 miles with no adjacent pedestrian or bicycle facilities, 2.5 miles with some type of facility on one side of the road, and 1.7 miles with coverage on both sides. In addition to the discontinuities listed above, there are deficiencies in width, tactile warning strips, clear navigational signage, and pedestrian signals with countdown timers. These deficiencies limit the walkability and bikeability of the corridor and related opportunities for active transportation.



Visual Quality

For the purposes of this study, visual quality is defined as the measure of how pleasing a visual perception is to someone. Within and adjacent to East River Road, many elements contribute to this corridor’s visual quality. The key visual elements identified in the corridor include pavements, signage, walls/fences/railings, lighting, landscaping, furnishings, utilities, and adjacent land uses. Overall, the condition of these elements is typical of a roadway corridor of this type and age. Although there are many areas that appear to be shown care, others may receive little to no maintenance, resulting in conflicting and inconsistent visual quality within the corridor.

Transit

Metro Transit operates one scheduled service bus route along the East River Road corridor, Route 852. Route 852 has seven route alternatives, most of which travel on East River Road. There are 52 bus stops in the Fridley section of the project corridor. Three of these stops have only signs and no paved surface for a patron to stand and wait. Seven of the stops have benches, and Metro Transit has two bus shelters along Route 852 in the East River Road corridor that have been in place since 1994.

The Anoka County Traveler also operates along the corridor. It does not provide scheduled service, but offers dial-a-ride curb-to-curb services with a 30 minute pick-up window. Northstar Commuter Rail also runs along the current BNSF Railway tracks, which are roughly parallel to the East River Road corridor. The Fridley station is located immediately adjacent to the corridor, at the intersection of 61st Way NE and East River Road.

Traffic Forecasts

Traffic forecasting was conducted using the Anoka County travel demand model, which is a modified subset of the Metropolitan Council’s regional demand model. Baseline volumes were established using the year 2000 dataset, and a base forecast was generated for the year 2030. The base forecast included assumptions about future land use and transportation conditions. Projected annual linear growth on East River Road ranged from 0.4 to 0.8 percent, or around 12 to 23 percent total growth over the 30 year period. The heaviest traffic volumes on East River Road are projected to reach 28,500 average daily vehicles south of Mississippi Street NE.

In addition to the 2030 baseline condition, two alternative highway network scenarios and two alternative land use scenarios were analyzed to investigate the effects of network modifications and potential land use changes on congestion in the corridor. Despite increases in development intensity, neither land use scenario significantly modified the base 2030 travel forecasts.

Using the model results, an analysis of future traffic conditions was conducted to identify issues or concerns that could influence recommendations for the corridor. The analysis included traffic operations (congestion, delay, queue length, signal coordination) and safety. The future traffic analysis did not identify any deficiencies with respect to vehicle traffic over the 20-year planning horizon. In the future, East River Road will continue to be a high-volume roadway that provides local access and also accommodates significant through movements for cars and trucks.

Concept Development and Analysis

The development and analysis of potential improvement concepts for East River Road were shaped by several issues in addition to future traffic conditions: adherence to design standards and guidelines (access management in particular); pedestrian and bicycle mobility; and visual quality enhancements. The role of each in the concept development process is summarized below.

Adherence to Design Standards and Guidelines

Several sets of design standards influenced and guided the recommended designs for East River Road, including the MnDOT State Aid Manual, the Anoka County Highway Department Access Management Guidelines, and the Anoka County Highway Department Landscape/Streetscape Guidelines.

While managing access is an important tool for improving roadway operations and safety, its implications for property access and other impacts require that it be applied in a logical, thoughtful, and often location-specific manner. To this end, the project team conducted five neighborhood meetings with residents, school districts, emergency responders and others to review potentially affected accesses and potential solutions. Several types of access management tools were considered: street closures, medians, and frontage roads. In developing recommendations for specific tools, the project team considered a range of factors including existing roadway conditions, available right-of-way, avoidance of property impacts, and ability to provide alternate access.

Pedestrian and Bicycle Mobility

Improving pedestrian and bicycle mobility and encouraging active and healthy living are important parts of the vision for East River Road. Currently, the absence of continuous sidewalk coverage on both sides of East River Road limits the overall walkability and bikeability of the corridor. As part of the study, the project team worked with Anoka County and City of Fridley State Health Improvement Program (SHIP) coordinators, county parks staff, and the cities of Fridley and Coon Rapids to define needs and develop criteria to be considered in corridor concept development. The team conducted a visual

inventory of barriers and opportunities related to walking and bicycling in the corridor, conducted public meetings, and held city staff work sessions.

Key issues focused around removing barriers to walking and bicycling by completing the sidewalk/trail network on East River Road, particularly in the southern segments where the existing roadway is narrower than elsewhere. This section presents particular challenges due to the narrower right-of-way and potential for adverse impacts on private property from widening. The project team assessed the barriers to walking and biking as preferred modes and provided recommendations to accommodate more active lifestyles. Potential options considered to reduce automobile dependence and promote healthier lifestyles included sidewalk and trail enhancements, land use changes, and wayfinding.

Visual Quality Enhancements

The process for identifying potential visual quality improvements within the corridor included three primary methods: understanding community objectives as identified within the project visioning process, evaluating the corridor’s existing conditions, and determining roadway and landscape design criteria.

The project vision statement developed out of the public and stakeholder process emphasized the visual quality aspects of the corridor. This helped raise the profile of visual quality as an important consideration. The analysis of existing conditions included photo documentation of visual attributes on the corridor today and identification of key features, unique characteristics, landmarks, and facilities. Together, these elements were used to develop organizing principles around which to apply visual quality improvements.

Existing roadway design criteria and Anoka County Highway Department Landscape/Streetscape Guidelines limit the inclusion and placement of certain corridor elements. Working within these limitations, the project team collaborated to identify potential opportunities for visual quality enhancements. Potential improvements to visual quality were identified and a list of roadway elements were generated that could provide a more uniform, comprehensive, and improved visual perception of the corridor.

Recommendations

The East River Road corridor requires improvements to achieve the vision identified at the beginning of the study. The development and analysis process yielded recommendations in the following major areas: access and intersection changes, roadway cross-section, trails and sidewalks, and visual quality. Recommendations also include the potential future extension of 57th Avenue and several specific policy and design recommendations.

Managing public and private access to East River Road is an important tool for increasing safety, managing congestion, and reducing the need to widen the roadway in the future. As a result, access management forms some of the core project recommendations. Key recommendations are illustrated in **Exhibits ES-2 to ES-5** and summarized as follows:

- Medians: Nine segments of new median are proposed, ranging in length from about 100 feet (to address a single access point) to about 1,000 feet to address multiple access points in a row.
- Street Closures/Alternate Access: Street closures (construction of a cul-de-sac) are recommended at 19 locations. These are locations where alternate access is already provided. Two conceptual cul-de-sac designs were developed to illustrate potential treatments for the closure of typical residential streets.
- Intersection Turning Restrictions: At two locations (Larch Street and 84th Lane), a full-access intersection is proposed to be changed to a ¾-access intersection. In both cases, this means left turns out of the street to East River Road will no longer be allowed, while left turns in will continue to be allowed.



Exhibit ES-2. Overview 1



Exhibit ES-3. Overview 2



Exhibit ES-4. Overview 3



- Other Potential Future Projects: Several other potential intersection or local side street improvement projects were identified for possible future consideration to address safety and access management issues. Additional development, including input from affected stakeholders, would need to be conducted prior to advancing any of these projects.

Roadway Cross Sections

Acquisition of additional right-of-way or easements is recommended at several locations on East River Road for the purpose of adding new sidewalk/trails where they currently do not exist. The completion of the sidewalk/trail network on both sides of the road emerged as a top priority of the project, in response to stakeholder interest, potential safety concerns, desire for improved pedestrian and bicyclist mobility and support for the State Health Improvement Program (SHIP) and active living goals. To accommodate these goals and provide guidance for future development adjacent to the road, cross sections were developed for two right-of-way widths: 106 feet and 120 feet. Several variations of these typical sections were developed to accommodate the varying conditions on the corridor and to minimize adverse property impacts.

Trails and Sidewalks

New trail and sidewalk are proposed in much of the southern portion of the corridor to complete the trail and sidewalk system as much as possible while minimizing property impacts. Specific recommended improvements are illustrated in **Exhibit ES-6**. Implementation of these improvements will mostly complete the sidewalk and/or trail system on both sides of the length of East River Road, with the exception of the east side between I-964 and 61st Way. While a trail exists on the west side for this segment, there is no trail or sidewalk proposed on the east side due to right-of-way impacts.

Transit Facilities

Although no new transit services are proposed, the addition of sidewalk and trail facilities will improve access to the existing bus service on the corridor by making it easier to walk and bicycle to and from transit stops. Additionally, the sidewalk and trail facilities will provide safe and more pleasant waiting areas at bus stops, some of which today require passengers to wait in the street itself. To further encourage transit use, additional transit amenities such as benches, shelters, and bicycle parking could be explored with Metro Transit in the future at locations where warranted. If safety issues arise, additional bus pull-outs may be considered in the future. This would likely involve a small amount of additional right-of-way in certain locations.

Future 57th Avenue Extension

A top priority recommendation of the study is the future extension of 57th Avenue (CR 102) over the BNSF railroad tracks from Main Street NE to East River Road. The primary benefit of this road extension is to relieve future traffic on Mississippi Street, the parallel roadway to the north. With the new extension, traffic volumes on Mississippi Street would fall by more than 30 percent. This project, which had been identified previously in the City of Fridley 2030 Comprehensive Plan, would require right-of-way acquisition from private property owners, a new bridge across the railroad, and a new (replacement) signal at 57th Avenue.

Other Policy and Design Recommendations

Two other policy and design recommendations were developed in response to stakeholder concerns identified during the study. These issues are:

- Truck Traffic: Truck traffic on East River Road was a concern expressed by stakeholders relative to noise, safety, and obstacles to smooth traffic flow. While the County cannot prevent trucks from using East River Road, it can work to establish a designated freight corridor on another roadway in the vicinity, and provide outreach to the businesses on East River Road to promote that route.
- Speed: Based on stakeholder concerns about speeding in the corridor, opportunities to improve enforcement were considered. As a result, speed enforcement pads are being added at several places in the corridor. Typically these will be paved areas in the median that allow for and encourage police vehicles to park and monitor and enforce speed limits.

Visual Quality

Visual quality recommendations for the corridor were developed at several different levels, as follows:

- Visual Quality Framework:** The visual quality framework plan identifies the application of visual quality improvements within the entire corridor as well as within four themed districts, as illustrated in **Exhibit ES-7**. The themes are intended to physically articulate the following four key corridor feature categories (listed from south to north): transit, historic/ arts, river, and recreation. While each of the districts is tied to key features of the existing roadway and surrounding area in the corresponding segments, the districts are meant to be applied broadly and flexibly as a framework for relevant improvements in the corridor and visual quality in particular.
- Visual Quality Strategies:** Seven general strategies are recommended to improve visual quality in the corridor. Intended to guide implementation of visual quality improvements and to visually unify the corridor over time, the strategies demonstrate that visual quality improvement can be achieved without the construction of significant, new infrastructure. These strategies suggest general policies, procedures and actions that can be immediately implemented – some or all having the ability to incrementally improve existing visual quality. The strategies fall in to the following seven categories:
 - Care and Maintenance
 - Improve Wayfinding
 - Increase Green
 - Visual Clutter
 - Power Lines
 - Homeowner Participation
 - Infrastructure Consistency
- Visual Quality Recommendations:** The general application of improvements, both corridor-wide and within each of the four districts, was further developed to include the design and treatment of specific corridor elements. These elements are included within five primary categories: pavements, lighting, landscaping, street furnishings, and signage and graphics.

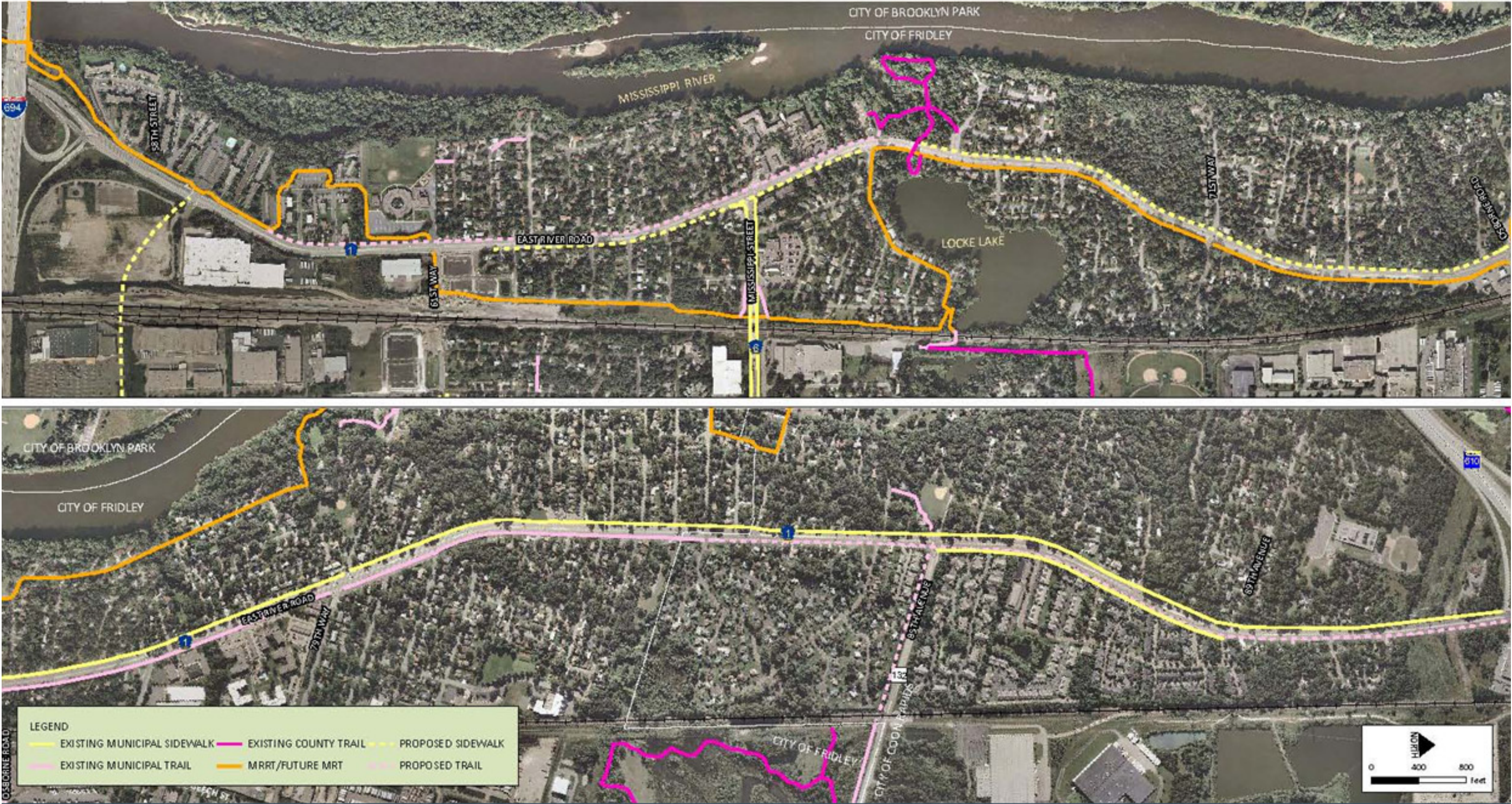


Exhibit ES-6. Trail and Sidewalk Improvements

TRANSIT DISTRICT

This theme articulates the planned Transit-Oriented Development (TOD), Northstar Corridor Commuter Rail station, and multiple bus routes along East River Road which together connect the corridor to downtown Minneapolis, St. Paul, and the greater Twin Cities.

HISTORIC/ARTS DISTRICT

Interpretive historic sites, markers, and a community arts facility within the corridor make this an obvious theme. Although both Coon Rapids and Fridley have their individual amenities, this district is created to celebrate their cultural contributions.

RIVER DISTRICT

The Mississippi River is a significant natural feature that flows adjacent to the corridor. It's meandering course is mimicked through East River Road's alignment. Water is further represented by the numerous streams which flow under the roadway making their way to the river.

RECREATION DISTRICT

Recreation opportunities occur within and adjacent to the corridor. Springbrook Nature Center, Locke Lake, the Mississippi River, Mississippi River Trail and the Mississippi River Regional Trail makes this area a community and regional recreational destination.

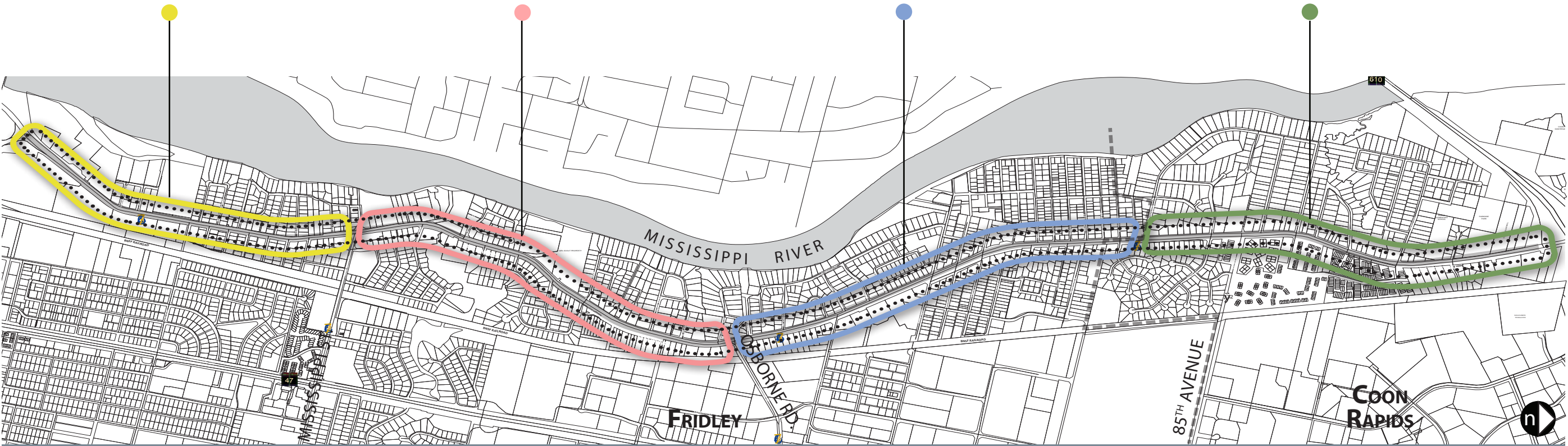


Exhibit ES-7. Visual Quality - Application Diagram

Implementation

Improvements to East River Road are expected to be implemented in discrete phases over time as funding allows. The implementation plan is based on defining project segments that could be funded by federal Surface Transportation Program (STP) funds. Other sources of funding, like County State Aid Highway funds, Highway Safety Improvement Program funds, or tax increment financing, also may be used to implement the project. The following criteria were used to divide the project into segment for implementation:

- Likelihood for above average benefit/cost ratio based on federal scoring criteria
- Construction cost of no more than approximately \$8.5M (assumes \$7M federal funds plus 20% local match; assumes STP funds)
- Logical beginning and ending locations for construction
- Logical sequence of construction projects that achieve the vision of the corridor

Using these criteria, the corridor was divided into five segments. The segments and estimated construction costs for each are illustrated in **Exhibit ES-8**. The 57th Avenue Bridge (extension) project was a top priority due to its role as a traffic reliever. From there, the other segments follow a logical south-north progression. However, the sequence could be altered if issues or funding opportunities emerge that suggest different priorities. The estimated planning level cost for the entire East River Road project is \$45.36 million. The estimate includes roadway, storm sewer, water main, signals, trail/sidewalk, urban design, and private utilities. A 10 percent contingency cost and 25 percent indirect cost (engineering, administrative/legal, interest) is included. Right-of-way, easements, and potential noise wall costs are not included in these estimates

Exhibit ES-8. Segments and Estimated Costs	
Segment	Estimated Cost (2011)
A 57th Avenue Bridge (does not include ROW cost)	\$ 10,390,000
B Highway 694 to Rice Creek Way	\$ 9,300,000
C Rice Creek Way to Osborne Road NE	\$ 7,800,000
D Osborne Road NE to Mississippi Blvd NW	\$ 8,580,000
E Mississippi Blvd NW to TH 610	\$ 9,290,000
Total	\$ 45,360,000

Following completion of this East River Road Corridor Study, **Exhibits ES-2 through ES-5** will be a valuable summary all of the recommended improvements, including some of the other improvements proposed off of East River Road, within the jurisdiction of the cities. The project segments listed above should continue to be monitored and/or studied further. Operations and potential safety concerns at corridor intersections, including side streets, should be monitored. If they become problematic, spot intersection improvements or implementation of a particular cul-de-sac may be candidates for an individual improvement prior to improvement of an entire segment.

Any project that will include federal funding will need to complete the necessary level of environmental documentation consistent with National Environmental Policy Act (NEPA) requirements. Although addition of lanes is not proposed and therefore traffic would not be moved closer to the adjacent land uses, noise analysis will be required as part of any environmental documentation, and if other circumstances are met, noise mitigation such as noise walls could possibly be required. However, it is the desire of the County and the cities, as well as the residents, to avoid noise walls in this corridor if at all possible.

In recognition of potential funding constraints and in consideration of the nature of issues in the corridor, other smaller projects and studies were also identified. The approach to identifying these projects was based on projects that could be done in a shorter timeframe, likely with less cost, and that would help to work toward overall study recommendations or goals. Shorter-term actions in support of the overall recommendations are summarized in **Exhibit ES-9**.

Exhibit ES-9. Potential Short-Term Actions in Support of Long-Term Recommendations		
Location	Recommendation	Potential Short-Term Project/Study or Monitoring
Various side streets	Evaluate specific conditions of each street affected by a potential cul-de-sac.	Evaluate cul-de-sac impacts on adjacent properties, with a priority on streets with existing right-of-way narrower than 60 feet. Quantify necessary acquisition needs to implement cul-de-sacs. Consider snow removal and large vehicle operations in this study(ies). (Cities)
Various along the corridor	Implement speed enforcement pads at various locations along the median.	Coordinate with local law enforcement on specific locations for the enforcement pads, and pursue funding and installation. (County)
N/A	Pursue the establishment of a freight corridor on a nearby route to provide an alternative to East River Road.	Research steps needed to initiate a freight corridor and identify the most favorable location. Reach out to industry along East River Road for input. (County)
Existing trails	Provide better signage and wayfinding for existing trail facilities.	Review existing deficiencies in signage and solicit funding to implement improvements. (City of Fridley, with Anoka County Parks)
Alley access points between 62nd Way and 63rd Way	Eliminate alleys and develop alternative access.	Initiate a study to eliminate alleys, including alternative access concepts, if necessary. (City of Fridley)
Mississippi Street	No specific recommendation for improvements, but operations/queue lengths could become an issue if conditions change and should be monitored.	Intersection operations and safety should continue to be monitored. If a crash issue develops, geometric improvements would need to be explored further and additional right-of-way might be needed. (County)
Osborne Road	Restripe the westbound approach and realign the receiving lane on the west side of East River Road to match the middle or outside approach lane. Modify signal to provide protected left turns from Osborne onto East River Road, with a dual left from the east and a single left from the west.	Monitor issues with operations/queuing. (County)
Between 62nd Way and Mississippi Street	Implement a trail along the roadway. Due to constrained right-of-way, this area should be studied further.	Initiate a study to advance trail design and better understand constraints and any necessary right-of-way/easements in this area. (City of Fridley)
Fairmont Street/ Fairmont Circle	Realign Fairmont Street slightly to the south to align with south end of Fairmont Circle, creating four-way intersection. Consider access consolidation and potential traffic signal.	Redesign this intersection and agree on project construction timing. It should be noted that right-of-way needed for this project is already owned by the County. (City of Fridley and County)
Palm Street/84th Lane	New block of Palm Street could be constructed between 84th Lane and 85th Avenue, providing a connection to the signalized intersection at 85th Avenue. In conjunction with this street connection, a cul-de-sac would be placed at Mississippi Blvd, full access would be restored at Larch Street, and 84th Lane would be closed on the east side of East River Road.	Assess private property acquisition and other potential impacts to determine feasibility of this improvement. (Note: the City of Coon Rapids plans to study this as part of its Comprehensive Park and trail Plan update in 2012).
85th Avenue/Kennedy Park	Construct new segment of 85th Lane on west side of CSAH 1 adjacent to Kennedy Park , creating fourth leg of CSAH1/85th Avenue intersection. Add new traffic signal. Extend northward to 86th Avenue, re-directing side street traffic to new intersection. If this occurs, consider cul-de-sacs on 85th Lane and 86th Lane.	Determine if city street connections are feasible through Kennedy Park to create fourth leg of signalized intersection at 85th Avenue. (City of Coon Rapids)



City Council Regular

11.

Meeting Date: 03/20/2012

Subject: Ordinance Restricting Parking on Quince Street/105th Avenue

Submitted For: Steve Gatlin, Public Services Director

From: Cher Ridout, Admin Secretary II

INTRODUCTION

The City received a request for parking restrictions on Quince Street and 105th Avenue between 104th Lane and Palm Street. Council is asked to introduce an ordinance restricting parking in this location.

DISCUSSION

A resident contacted the City regarding vehicles parked along Quince Street and 105th Avenue. His concern was because of the many driveways in the area, vehicles cannot park safely especially in the 90 degree turn on this section of roadway. The Traffic Review Committee viewed the area and initially felt that formal parking restrictions were not needed. City Code currently prohibits parking in front of mailboxes and across from driveway openings. The Committee felt that current City Code provided enough parking prohibition instead of taking additional action to restrict parking that was not needed in the area.

The resident requested that we view the situation with him in the field. At that time we observed several vehicles parked across from driveway openings. These cars were not technically parked directly across from driveways, but close enough to driveway openings to cause access difficulty. Also, cars were parked adjacent to mailboxes but not directly in front of the mailboxes. Where these vehicles were parked would make it difficult for mail to be delivered.

After reviewing the situation again in the field, staff believes that parking restrictions should be imposed so that there is no confusion as to where parking is allowed. It is recommended that parking be restricted at all times on both sides of the street for the entire block on Quince Street and 105th Avenue between 104th Lane and Palm Street.

ALIGNMENT WITH STRATEGIC VISION

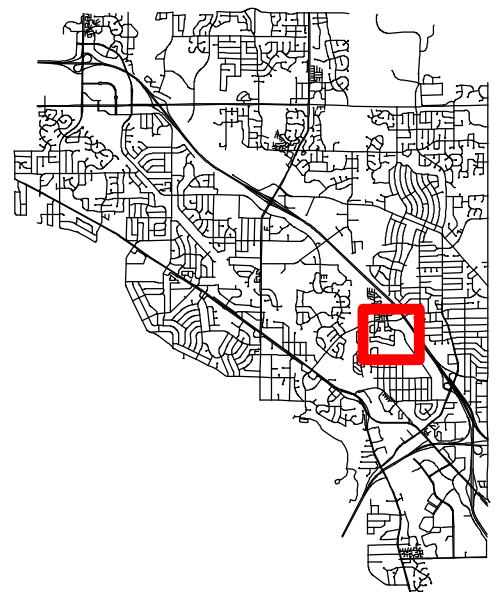
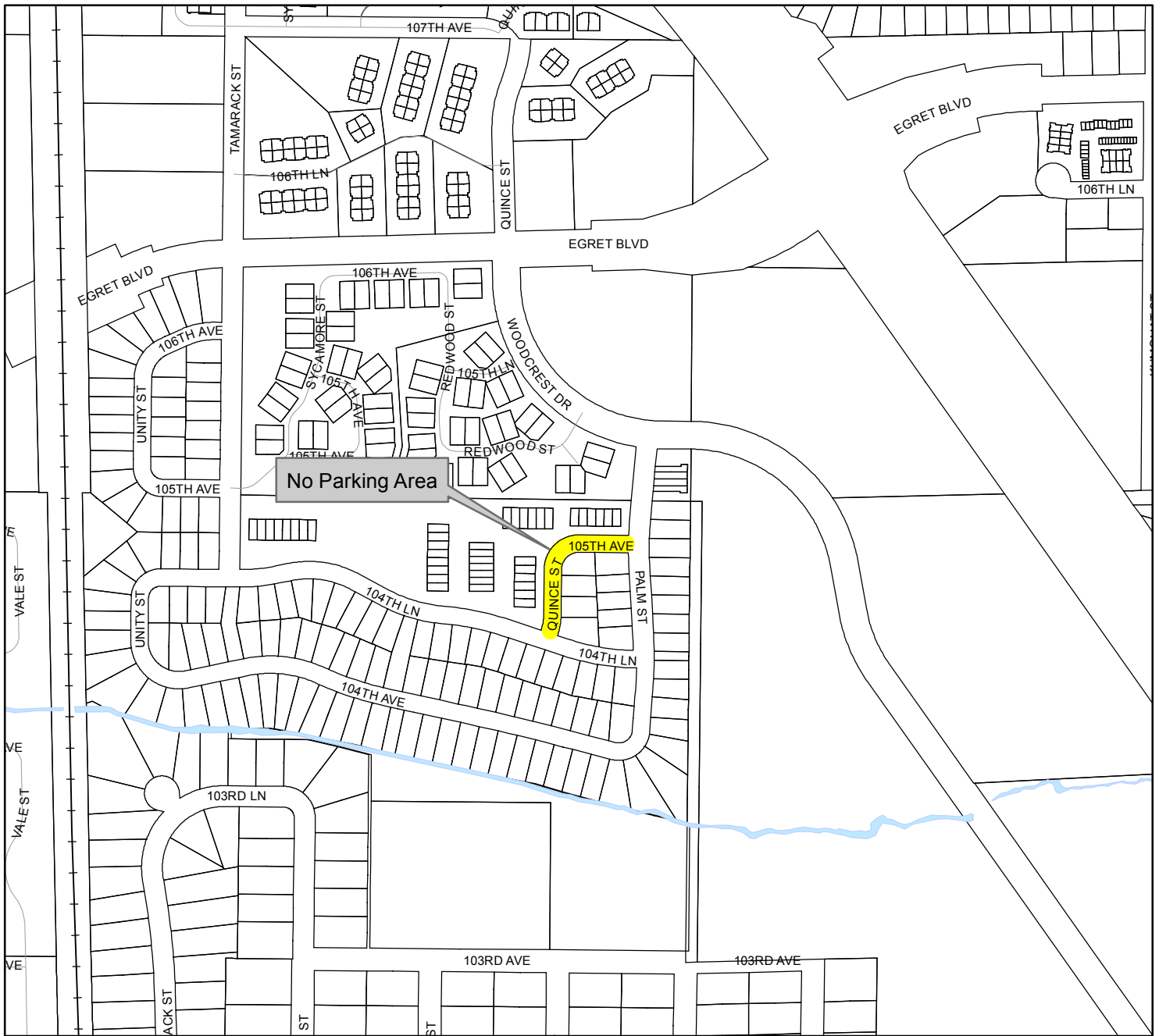
This item relates to the Transportation section of the City's long term strategic vision by providing a safe and efficient roadway system for pedestrians and motorists.

RECOMMENDATION

I recommend the City Council introduce the proposed ordinance restricting parking on both sides of Quince Street and 105th Avenue between 104th Lane and Palm Street.

Attachments

Parking Restrictions Quince/105th
Ordinance



ORDINANCE NO.

**AN ORDINANCE RESTRICTING PARKING ON BOTH SIDES OF
QUINCE STREET NW AND 105th AVENUE NW BETWEEN
104th LANE NW AND PALM STREET NW**

The City of Coon Rapids does ordain:

Section 1. There is hereby established a parking restriction on both sides of Quince Street NW and 105th Avenue NW between 104th Lane NW and Palm Street NW.

Section 2. The Public Services Director is authorized and directed to install appropriate signs to effectuate the purpose of this ordinance.

Introduced on the 20th day of March, 2012.

Adopted on the ____ day of _____, 2010.

Tim Howe, Mayor

ATTEST:

Catherine M. Sorensen, City Clerk